



<b>8</b>	Additional Excerpt of Mar. 22, 2017 Deposition of Brian Keith Ingram
<b>9</b>	Supplemental Declaration of Grace Chimene
<b>10</b>	Declaration of Joaquin Gonzalez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,

*Plaintiffs*

v.

ROLANDO PABLOS, in his official  
capacity as the Texas Secretary of State, and  
STEVEN C. McCRAW, in his official  
capacity as the Director of the Texas  
Department of Public Safety,

*Defendants*

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C.A. 5:16-cv-00257-OLG

**STIPULATION OF UNDISPUTED FACTS**

For purposes of the trial on the above-captioned cause, the parties stipulate to the following undisputed facts:

1. Defendant Rolando Pablos is the Texas Secretary of State (“SOS”) and under Texas Election Code §31.001(a), serves as the State’s Chief Election Officer.
2. Defendant Steven C. McCraw is the Director of the Texas Department of Public Safety (“DPS”). DPS operates offices around the State and issues Texas driver licenses. All references to “driver licenses” herein refer to Texas driver licenses issued by DPS.
3. DPS is responsible for transmitting information to SOS about eligible driver license applicants who—during covered driver license transactions with DPS—indicate they wish to (1) register to vote, or (2) update their voter registration information. This information is transmitted by DPS to SOS in the voter registration extract file.
4. Plaintiffs Jarrod Stringer, Benjamin Hernandez, and John O. Woods, III (collectively, “Plaintiffs”) changed their addresses on their DPS-issued driver licenses through

online transactions on Texas.gov.

5. Plaintiffs' counsel sent the Secretary of State letters dated May 27, 2015, October 23, 2015, and November 18, 2015, describing the change of address transactions in paragraph 4, and stating their allegation that DPS's and SOS's handling of these transactions violated the National Voter Registration Act.

6. Among other requirements, an applicant must be a U.S. citizen to be eligible to renew his driver license or change the address on his driver license online.

7. An applicant completing an online transaction to renew his driver license must enter his driver license number, date of birth, the last four digits of his social security number, and the audit number on his driver license.

8. An applicant completing an online transaction to change the address on his driver license—or an applicant who changes the address on his driver license when renewing it online—must enter his driver license number, date of birth, the last four digits of his social security number, the audit number on his driver license, his home address (street, city, state, zip code, and county) and, if different than his home address, his mailing address (street, city, state, zip code, county, and country).

9. The voter registration application on the SOS voter website is found here: <https://webservices.sos.state.tx.us/vrapp/index.asp>.

10. Between April 2013 and February 26, 2016, Step 5 of the online renewal and change of address interface prompted the applicant to select “yes” or “no” beneath the statement “I want to register to vote. Selecting ‘yes’ **does not** register you to vote. A link to the [SOS] voter website (where a voter application may be downloaded or requested) will be available on your receipt page.” (emphasis original)

11. The signature that appears on the license generated as a result of a customer's online driver license renewal or change of address transaction is an image of the applicant's physical signature, electronically captured during the applicant's most recent in-person transaction in a DPS field office. (On the DL-14A and DL-43 forms this is referred to as the applicant's "electronic signature").

12. Plaintiffs did not submit a change of address that relates to a Texas driver license in person during the change of address transactions that form the basis of Plaintiffs' claims in this lawsuit.

13. Plaintiffs did not submit a change of address that relates to a Texas driver license by mail during the change of address transactions that form the basis of Plaintiffs' claims in this lawsuit.

14. Plaintiffs did not complete a voter registration application on the Secretary of State's website through the link provided on the receipt page at the end of the change of address transactions that form the basis of Plaintiffs' claims in this lawsuit.

15. After receiving the letters described in Stipulation 5, Defendants offered, through Plaintiffs' attorneys, to confirm Plaintiffs' voter registration status and provide assistance in updating their voter registration if they desired.

16. Plaintiffs did not attempt to renew their Texas driver license online during the change of address transactions that form the basis of Plaintiffs' claims in this lawsuit.

17. Plaintiffs are currently registered to vote in the counties where in the letters referenced in Stipulation 5 each Plaintiff indicated they wished to be registered.

18. Plaintiff Jarrod Stringer did not attempt to cast a ballot in the federal general election in 2012.

19. Plaintiff Jarrod Stringer was able to cast a ballot in the 2016 federal general election.

20. Plaintiff John Woods was able to cast a ballot in the 2012 and 2016 federal general elections.

21. Plaintiff Benjamin Hernandez was able to cast a ballot in the 2012 and 2016 federal general elections.

22. There were no special federal elections in Texas in 2013 and 2015.

Dated: November 22, 2017

Respectfully submitted,

By: /s/ Rebecca Harrison Stevens

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WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al., )

Plaintiffs, )

vs. ) C.A. 5:16-cv-00257-OLG

ROLANDO B. PABLOS, IN HIS )  
OFFICIAL CAPACITY AS THE TEXAS )  
SECRETARY OF STATE; AND STEVEN )  
C. MCCRAW, IN HIS OFFICIAL )  
CAPACITY AS THE DIRECTOR OF THE )  
TEXAS DEPARTMENT OF PUBLIC )  
SAFETY, )

Defendants. )

**CERTIFIED  
TRANSCRIPT**

ORAL VIDEOTAPED DEPOSITION OF SHERI GIPSON

TUESDAY, JANUARY 31, 2017

ORAL VIDEOTAPED DEPOSITION OF SHERI GIPSON,  
produced as a witness at the instance of the Plaintiffs,  
and duly sworn, was taken in the above-styled and  
-numbered cause on the 31st day of January, 2017, from  
9:44 a.m. to 5:59 p.m., before RABIN' MONROE, Certified  
Shorthand Reporter in and for the State of Texas,  
reported by computerized stenotype machine, at the TEXAS  
ATTORNEY GENERAL'S OFFICE, 300 West 15th Street, 10th  
Floor, Austin, Texas 78701, pursuant to any provisions  
stated on the record or attached hereto.



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continued

A P P E A R A N C E S  
continued

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ALSO PRESENT:

JUSTIN TALBOT, Videographer

I N D E X

WITNESS	PAGE
Title Page	1
Appearances	2
Index	4
Proceedings Begun	6
SHERI GIPSON	
EXAMINATION BY MS. SILHAN	7
EXAMINATION BY MS. MARZIANI	287
EXAMINATION BY MS. MACKIN	294
FURTHER EXAMINATION BY MS. SILHAN	306
Deposition Suspended	310
Changes and Signature	311
Court Reporter's Certificate	313

\* \* \* \* \*

EXHIBITS

NO.	DESCRIPTION	PAGE
1	Notice of Deposition	9
2	Screenshot -- Driver License Renewal and Change of Address	65
3	DLS Use Case Specification: Create Daily Update Log for SOS -- December 22, 2014	152
4	Letter from Joe Peters to Keith Ingram Re: NVRA Implementation Plan -- July 22, 2016	174

continued

EXHIBITS  
continued

NO.	DESCRIPTION	PAGE
5	Letter from Joe Peters to Keith Ingram Re: NVRA Implementation Plan -- August 3, 2016	176
6	Texas DPS NVRA Implementation Plan	179
7	Email from Susan Stempelmann Re: Customer Operations Conference Call Notes -- October 19, 2012	192
8	Email Chain Re: Elections Follow-up	201
9	Email Chain Re: Voters registration	205
10	Email from Marguerite Buster Re: Voter registration verification - 2-4-13.doc -- 2/4/2013	209
11	Metadata	211
12	D_00011099	211
13	Email Chain Re: Other DL	219
14	DPS Government Relations Action Sheet	224
15	DPS Overview	246
16	Application for Change of Address on Valid Texas Driver License (DL) & Identification Card (ID)	259
17	The National Voter Registration Act and Voter Registration Applications . . . an Overview -- 6/12/13	269
18	Letter from Peter A. Kraus and Mimi M. D. Marziani to Secretary of State Cascos Re: Failure to Comply with Voter Registration Obligations at Texas Department of Public Safety -- May 27, 2015	285

\* \* \* \* \*

1 change-of-address and driver-license renewals on  
2 Texas.gov?

3 A. That would have been prior to DLS.

4 Q. Once DLS became operational, how did  
5 information collected on the online change-of-address  
6 and renewal form . . . get transmitted to DLS?

7 A. So there is a nightly file that they transmit  
8 the data from those application- -- completed  
9 applications to DLS.

10 Q. For those completed applications, we've already  
11 discussed that the answer to the voter-registration  
12 question, that is not included in that nightly file;  
13 correct?

14 A. That's correct.

15 Q. Are there any other questions that applicants  
16 are required to answer on the online change-of-address  
17 or renewal form that is not transferred in the nightly  
18 file to DPS? I'm sorry. To -- to the DLS?

19 A. No.

20 Q. Why does DPS require customers to answer that  
21 question if they don't even retain the answer?

22 A. The -- because we need to offer them the  
23 availability of the application. And so if they f- --  
24 in order for us -- for Texas.gov, the way that's  
25 programmed, is if they enter "yes," it presents the

1 go back and look and see.

2 MS. SILHAN: We'll mark this as Exhibit 6.

3 (Exhibit 6 marked for identification.)

4 Q. (BY MS. SILHAN) Have you seen this document  
5 before?

6 A. Yes. This is the plan that was attached to the  
7 letter I received.

8 Q. Okay. And this document, Exhibit 6, it is the  
9 Texas Department of Public Safety National Voter  
10 Registration Act Implementation Plan; correct?

11 A. Correct.

12 Q. And prior to receiving this in July 2016, you  
13 hadn't received a previous version; is that correct?

14 A. Correct.

15 Q. Did you receive any -- any instructions related  
16 to this document?

17 A. If you're talking about instruction or training  
18 as to what my duties would be? No, I did not.

19 Q. Okay. So you re- -- but you received the  
20 letter and you received a copy of this --

21 A. The plan, right.

22 Q. 'Kay. Did you have any role in putting the  
23 plan together?

24 A. No, ma'am. It was established prior to  
25 my . . . appointment.

1     **certify that the information is true and correct?**

2           A.     They're . . . well, the only thing that they're  
3     changing is their address. But they're -- they're  
4     verifying who they are through the authentication  
5     process that occurs up front by providing key pieces of  
6     data, which is their f- -- their name, the  
7     driver-license number, date of birth, the audit number  
8     that's on the card they currently hold, and the last  
9     four of their Social.

10                   (Brief pause.)

11           **Q.     Aside from the physical ink signatures and the**  
12     **electronic keypad signatures, are there any other types**  
13     **of signatures DPS collects from customers?**

14           A.     No, ma'am.

15           **Q.     Does anyone compare the signatures collected by**  
16     **DPS?**

17           A.     Compare. . . .

18           **Q.     So a customer is going to be submitting to DPS,**  
19     **no matter what, two signatures; correct?**

20           A.     Correct.

21           **Q.     Even in the first application, they're**  
22     **submitting an ink signature physically on a piece of**  
23     **paper, as well as an electronic signature on a keypad.**

24           A.     Correct.

25           **Q.     Does anyone go through and compare those two?**

1 A. Not typically, no.

2 Q. Under what circumstance would they compare  
3 them?

4 A. If there was somethin' that identified that  
5 there was potential fraud, or an issue that arose that  
6 was, you know, for potential fraud or identity theft,  
7 then we would have somebody pull and -- and analyze  
8 those signatures.

9 Q. How are those issues flagged?

10 A. What do you mean --

11 Q. How --

12 A. -- "how are they flagged"?

13 Q. How does the system identify potential identity  
14 fraud or theft?

15 A. So the system itself does not identif- -- or  
16 done -- identify fraud, per se. We do have an IVS  
17 system which does facial recognition on the original  
18 applicants. And so each morning we have individuals  
19 that review those files that come up as potential  
20 matches, and then they determine -- if there's potential  
21 fraud, if there is, then they refer it to our Criminal  
22 Investigations Division.

23 The other way that it would be noted is if  
24 the Criminal Investigation Division or Highway Patrol,  
25 or another law enforcement agency, determined that there



1 was potential fraud, then they would -- they would  
2 request that information.

3 Q. For signatures -- ink signatures on mail-in  
4 changes of address, for example, are those ever compared  
5 with either the f- -- previous physical signature or the  
6 electronic signature on file?

7 A. Not on a routine basis, no.

8 Q. Under what circumstance would they be compared?

9 A. Again, only if somebody came in and said  
10 "Fraud." They wouldn't be as part of the application  
11 process.

12 Q. Okay. But there wouldn't be another picture to  
13 do another facial recognition; right?

14 A. No. Not at that point.

15 Q. 'Kay. So when else -- what other circumstance  
16 for a mail-in form would -- would flag that form for  
17 signature comparison?

18 A. There's not any.

19 Q. Okay. So then the mail-in signatures are never  
20 compared.

21 A. Typically no.

22 Q. Okay. So I'm just . . . I'm just trying to  
23 understand. When you say --

24 A. Yeah.

25 Q. -- "typically no" --

1 A. Well --

2 Q. -- why -- why can't you say "no"?

3 A. So no. During the routine process, it would  
4 never be compared.

5 Q. But. . . .

6 A. When I say "routine process," what I'm talking  
7 about is the individual that's processing that mail  
8 renewal application, they would never compare that  
9 signature. If after the fact we received a contact from  
10 Criminal Investigations Division or another low en- --  
11 law-enforcement co- -- office contact CID, they may pull  
12 those signatures and look at 'em. But as a routine part  
13 of the function of updating mail and -- 'scuse  
14 me [coughed] -- mail-in address changes, we do not  
15 review the signatures.

16 Q. How does DPS go about verifying the information  
17 submitted online for the online change of address or  
18 renewal form?

19 A. Again, the only verification that's done there  
20 is their log-in credentials.

21 Q. But those log-in credentials, is that  
22 information different than what would be entered on a  
23 physical mail-in change-of-address form?

24 A. The difference is the Social Security Number.  
25 The last four digits of the Social Security. And

1 actually refer to the -- electronic signature captured  
2 on the keypad?

3 A. Yes, it does.

4 Q. So DPS was never actually scanning physical ink  
5 signatures from paper and then transmitting them to  
6 SOS . . . during this time.

7 A. No, we were not.

8 (Brief pause.)

9 Q. Looking at the next page. Page three of nine.  
10 Under the heading "May 15th, 2009," it says, "A report  
11 to categorize the following."

12 Do you see that?

13 A. Yes.

14 MS. MACKIN: May 15th, 2009?

15 MS. SILHAN: Yes.

16 Q. (BY MS. SILHAN) And this report would  
17 categorize a number of things, including the number of  
18 DPS applications received? Correct?

19 A. Mm-hmm.

20 Q. The number of DPS applications approved as new  
21 voter. Number of DPS applications approved as change to  
22 existing voter.

23 Are you familiar with whether these  
24 reports were created?

25 A. No, I'm not.

1 THE STATE OF \_\_\_\_\_)

2 COUNTY OF \_\_\_\_\_)

3  
4 Before me, \_\_\_\_\_, on this day  
5 personally appeared SHERI GIPSON, known to me or proved  
6 to me on the oath of \_\_\_\_\_ or through  
7 \_\_\_\_\_ [description of identity  
8 card or other document] to be the person whose name is  
9 subscribed to the foregoing instrument and acknowledged  
10 to me that he/she executed the same for the purpose and  
11 consideration therein expressed.

12 Given under my hand and seal of office this  
13 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

14  
15  
16 \_\_\_\_\_  
17 NOTARY PUBLIC IN AND FOR  
18 THE STATE OF \_\_\_\_\_

19 My Commission Expires: \_\_\_\_\_  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al., )  
)  
Plaintiffs, )  
vs. ) C.A. 5:16-cv-00257-OLG  
)  
ROLANDO B. PABLOS, IN HIS )  
OFFICIAL CAPACITY AS THE TEXAS )  
SECRETARY OF STATE; AND STEVEN )  
C. MCCRAW, IN HIS OFFICIAL )  
CAPACITY AS THE DIRECTOR OF THE )  
TEXAS DEPARTMENT OF PUBLIC )  
SAFETY, )  
)  
Defendants. )  
)

ORAL VIDEOTAPED DEPOSITION OF SHERI GIPSON

TUESDAY, JANUARY 31, 2017

I, RABIN' MONROE, Certified Shorthand Reporter  
in and for the State of Texas, hereby certify to the  
following:

That the witness, SHERI GIPSON, was duly sworn  
by the officer and that the transcript of the deposition  
is a true record of the testimony given by the witness;

That the deposition transcript was submitted  
on \_\_\_\_\_, 2017, to the witness, or  
to the attorney for the witness, for examination,  
signature, and return to \_\_\_\_\_;

That \$\_\_\_\_\_ is the deposition  
officer's charges to the Plaintiffs for preparing the  
original deposition and any copies of exhibits;

That pursuant to information given to the deposition officer at the time said testimony was taken, the following includes all parties of record, along with the amount of time used by each party at the time of the deposition:

MS. CAITLYN ELIZABETH SILHAN  
Counsel for Plaintiffs  
TIME USED: 6 Hours, 15 Minutes

MS. MIMI MURRAY DIGBY MARZIANI  
Counsel for Plaintiffs  
TIME USED: 6 Minutes

MS. ANNE MARIE "ANNA" MACKIN  
Counsel for Defendants  
TIME USED: 17 Minutes

MS. KATHLEEN THERESA MURPHY  
Counsel for Defendants  
TIME USED: (No time used.)

I further certify that I am neither counsel for, related to, nor employed by any of the parties in the action in which this proceeding was taken, and further, that I am not financially or otherwise interested in the outcome of this action.

Certified to by me on FEBRUARY 12, 2017.



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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,  
  
Plaintiffs,  
  
V.  
  
ROLANDO PABLOS, IN HIS  
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TEXAS SECRETARY OF STATE  
and STEVEN C. McCRAW, IN  
HIS OFFICIAL CAPACITY AS  
THE DIRECTOR OF THE TEXAS  
DEPARTMENT OF PUBLIC SAFETY,  
  
Defendants.

C.A. 5:16-cv-00257-OLG

**CERTIFIED  
TRANSCRIPT**

ORAL DEPOSITION OF  
EMILY ERIN HUTCHINS  
MARCH 31, 2017

ORAL DEPOSITION OF EMILY ERIN

HUTCHINS, produced as a witness at the instance of the Plaintiffs and duly sworn, was taken in the above styled and numbered cause on Friday, March 31, 2017, from 9:06 a.m. to 2:46 p.m., before Tamara Chapman, CSR, RPR, CCR (LA) in and for the State of Texas, reported by computerized stenotype machine, at the offices of Jackson Walker, 100 Congress, Suite 1100, Austin, Texas 78701, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record herein.

Job No. 247029

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ALSO PRESENT:

Tina Mize, Associate General Counsel, NIC



I N D E X

PAGE

APPEARANCES..... 2

EMILY ERIN HUTCHINS

EXAMINATION

By Ms. Silhan..... 7

E X H I B I T S

PAGE LINE

Exhibit 1 10 11

Subpoena to Testify at a Deposition In  
a Civil Action  
(No Bates - 10 pages)

Exhibit 2 10 19

Responses and Objections to Subpoena  
to Testify at a Deposition in a Civil  
Action and Produce Documents  
(No Bates - 11 pages)

Exhibit 3 20 16

TexasOnline 2.0 Customer Agreement  
(No Bates - 15 pages)

Exhibit 4 31 17

List of Services spreadsheet  
(NIC 004438)

Exhibit 5 35 15

Monthly Transaction Counts spreadsheet  
(NIC 004481 - NIC 004482)

Exhibit 6 40 15

NIC Release Plan  
(NIC 004370 - NIC 004374)

E X H I B I T S  
(Continued)

PAGE LINE

Exhibit 7	40	15
11/15/12 e-mail and attachment from		
Betsy Schonhoff to Beva Kellison,		
Subject "Standard Response - DPS -		
Attempted to Register Online"		
(D_00011475 - D_00011476)		
Exhibit 8	44	2
3/8/17 chain of e-mails Lynne Cardenas		
and various others, Subject "FW: DLR		
Remove 'Are you a citizen?'"		
(D_00021767 - D_00021768)		
Exhibit 9	45	6
DLR List of Changes		
(D_00021769 - D_00021774)		
Exhibit 10	51	11
Project Management Tool		
(NIC 006015 - NIC 006023)		
Exhibit 11	56	15
Request for Change Form		
(NIC 000619 - NIC 000620)		
Exhibit 12	60	17
Series of e-mails between Rebekah		
Hibbs and various recipients, Subject		
"FW: DL/ID Renewal - Voter		
Registration INC 2397"		
(NIC 000739 - NIC 000747)		
Exhibit 13	69	23
Texas Department of Public Safety		
Driver License Renewal and Change of		
Address web page		
(No Bates - 8 pages)		
Exhibit 14	80	18
Request for Change Form		
(NIC 001036 - NIC 001038)		

E X H I B I T S

PAGE LINE

Exhibit 15 86 16  
Texas Department of Public Safety  
Driver License Renewal and Change of  
Address web page  
(No Bates - 6 pages)

Exhibit 16 90 10  
10/3/16 e-mail from Elvin Carrero to  
Paul Graeber, Subject "FW: Updated  
Vignettes"  
(NIC 000839 - NIC 000840)

Exhibit 17 94 9  
Driver License Renewal Receipt and  
Temporary License  
(No Bates - 1 page)

Exhibit 18 97 11  
Collection of Tickets  
(NIC 005926 - NIC 005932)

Exhibit 19 101 16  
2/14/05 Texas Department of Public  
Safety DL Authentication Application  
(NIC 005878 - NIC 005891)

Exhibit 20 106 15  
11/4/16 series of e-mails between  
Ayyappa Veerapaneni and Faithe  
Hernandez, Subject "RE: SOS info.;  
Updated"  
(NIC 000916 - NIC 000918)

Exhibit 21 110 14  
4/30/14 DL Applications (DLR and  
DLRST) Generate Two Output Flat Files  
Version 8.2  
(NIC 004545 - NIC 004607)

Exhibit 22 116 5  
9/6/06 DL Renewal Data Dictionary  
Version 2.5  
(NIC 004706 - NIC 004750)

E X H I B I T S  
(Continued)

	PAGE	LINE
Exhibit 23	121	6
8/29/07 Use Case Specification Select		
Options Version 2.4		
(NIC 004943 - NIC 004951)		
Exhibit 24,	123	12
Ecaptran Copybook Application		
Transaction File Description		
(NIC 005413 - NIC 005414)		

1 MR. DOW: Be sure you wait until  
2 she finishes her question so the court reporter  
3 can --

4 THE WITNESS: Yes.

5 MR. DOW: Thanks.

6 THE WITNESS: Yes.

7 Q. It's tricky, I know, especially sitting  
8 across the table having a conversation.

9 So in your capacity as general manager and  
10 director of portal operations, what are your  
11 responsibilities?

12 A. I oversee the development teams, including  
13 project managers, software developers, quality  
14 assurance analysts. I also oversee the sales team,  
15 marketing team, service desk teams.

16 Q. Do you have contact with the client state  
17 entities at all?

18 A. Yes.

19 Q. So jumping back, Texas NIC, tell me about  
20 what Texas NIC does here in the State of Texas?

21 A. Texas NIC is a software development  
22 company. We provide self-funded government solutions  
23 in partnership with state agencies under a master  
24 agreement supervised by the Department of Information  
25 Resources.

1           **Q. What does that mean, to provide**  
2       **self-funded government solutions?**

3           A. So we work with the state agencies to  
4       implement online services, online versions of paper  
5       forms and back-end systems, and they are provided in  
6       such a way that the transaction -- or the transaction  
7       fees for those services recoup the cost for  
8       development of those services.

9           **Q. So then Texas.gov is -- is that one such**  
10       **government solution that Texas NIC created?**

11          A. The Texas.gov, the website is one of those  
12       such solutions. Texas.gov is also referred to as the  
13       program under which we operate the master agreement.

14          **Q. And did NIC help develop Texas.gov or was**  
15       **Texas.gov something that NIC inherited, I guess?**

16          A. Prior to NIC, there was TexasOnline.com  
17       that was provided by another provider. Texas.gov is  
18       the work of Texas NIC.

19          **Q. When did Texas.gov come online?**

20          A. May of 2010.

21          **Q. And different state agencies -- is it**  
22       **correct that different state agencies have or offer**  
23       **services on Texas.gov?**

24          A. Yes.

25          **Q. And it's not necessarily all state**

1    numbered, but it's Exhibit B.  Are you familiar  
2    with...

3           A.  Yes.

4           Q.  Now, this lists "Application and Services  
5    Description, Customer Name."  Again, this is a  
6    template.  But is this -- would this be the same for  
7    the agreement with the Department of Public Safety?

8           A.  This Exhibit B is essentially a menu of  
9    things that go into Exhibit A.  So as we add a  
10   specific service to Exhibit A for an agency, it would  
11   reference items from Exhibit B.

12          Q.  Okay.  Flipping to the next page.  At the  
13   bottom it lists "Texas.gov Authentication Service" --

14          A.  Yes.

15          Q.  -- "TOAS"?  Do you say it that way or do  
16   you call it TOAS (pronouncing)?

17          A.  We call it TOAS (pronouncing).

18          Q.  Is this something that -- well, why don't  
19   you tell me what this is.  What is the Texas.gov  
20   Authentication Service?

21          A.  TOAS offers a way for agencies to have a  
22   common authentication of users.  It uses elements of  
23   the driver's license.

24          Q.  And so Texas.gov offers agencies a way to  
25   authenticate users that are interacting with the

1 agency via Texas.gov. Is that correct?

2 A. Yes.

3 Q. Does DPS authenticate users via this TOAS  
4 system?

5 MR. DOW: Are you asking her  
6 whether DPS --

7 Q. Yes. Whether DPS customers are  
8 authenticated using the Texas.gov Authentication  
9 Service?

10 A. No.

11 Q. So users who -- for example, someone who  
12 uses Texas.gov to renew their driver's license, they  
13 would not be authenticated using this service?

14 A. They are authenticated using a similar  
15 service.

16 Q. Okay. What is that service called?

17 A. It's actually not called -- it's specific  
18 to driver's license renewal and it is a function of  
19 that application that has additional data elements.

20 Q. What are the additional data elements?

21 A. The audit number of the driver's license,  
22 and date of birth.

23 Q. What about the Secretary of State? We've  
24 mentioned there's one application that Texas.gov  
25 hosts for the Secretary of State's office. Is that



1 correct?

2 A. Yes.

3 Q. Does Secretary of State use TOAS to  
4 authenticate --

5 A. I don't know.

6 Q. -- users? Okay.

7 Can you give me an example of an agency  
8 that does use TOAS to authenticate users?

9 A. Yes. The online vital records application  
10 for the Department of -- or of State Health Services.

11 Q. Okay. I'd like you to walk me through  
12 that example. But before we do, just looking at what  
13 this says I want to make sure that this is still  
14 current. So here it says "Vendor provides Texas.gov  
15 Authentication Service (TOAS)" -- T-O-A-S --  
16 "Section 2054.271 of the Texas Government Code allows  
17 for Texas.gov to authenticate Customers against  
18 Customer databases in lieu" -- I think it's missing  
19 an "of" -- "in lieu a signed agreement" -- I'm sorry,  
20 "a signed or notarized document."

21 So you mentioned that the way that  
22 Texas.gov does that is, is information from driver  
23 licenses. Is that correct?

24 A. Yes.

25 Q. Is there any other way or any other data

1 source that Texas.gov pulls from to authenticate?

2 A. Yes. But for out-of-state persons.

3 Q. Okay. So in the example of the online  
4 vital records application for the Department of State  
5 Health Services, how does the TOAS system work to  
6 authenticate an applicant?

7 A. The TOAS system is -- uses an extract of  
8 driver license data, drivers' license number, last  
9 four of social security. And there's another data  
10 element that I can't think of at the moment. I'm  
11 sorry.

12 So the online vital records system, the  
13 end user logs in with -- enters, keys in those data  
14 elements, we check it against our database that  
15 features data from that extract file provided by DPS.  
16 And depending on whether or not all of those data  
17 elements match, the user is able to log in and  
18 request their vital record.

19 Q. That happens in real-time?

20 A. The extract is not -- is an extract file.  
21 So DPS actually sends us a batch file on a regular  
22 basis. We use that -- I believe it's nightly. We  
23 use that to update our database for the purposes of  
24 the TOAS system.

25 So with respect to online vital records,

1 online vital records communicates with our database  
2 that uses that extract, but it is not a real-time  
3 call to DPS.

4 Q. How does that differ for authentication of  
5 users of DPS's online driver license renewal and  
6 change of address?

7 A. That authentication occurs in real-time,  
8 again, using those additional data elements that I've  
9 identified. There's a web service called it.

10 Q. And so if a user is attempting to change  
11 their address or renew their driver license online  
12 through Texas.gov, if they log in, does Texas.gov  
13 also refer to the DPS extract file to authenticate  
14 even -- you know, using the data points required or  
15 does it -- does it go to a different source to  
16 authenticate the user?

17 A. It authenticates against the driver's  
18 license system at DPS. It doesn't have another  
19 source. So it's a real-time call to DPS.

20 Q. Okay. So in that case instead of using  
21 the extract file that DPS sends to Texas.gov  
22 specifically for the TexasOnline authentication  
23 service, it's a whole nother thing, in real-time  
24 goes -- the request goes to DPS?

25 A. Yes.

1           **Q. Why is it set up that way?**

2           A. TOAS didn't need the requirements for  
3       audit number, and you wouldn't necessarily want to  
4       include a data element for authentication into a  
5       nondriver license system that would require the end  
6       user to have their driver's license in front of them.

7           But for the purposes of logging in to a  
8       driver license system, you would want to have them  
9       authenticate with as much data from that driver  
10      license system as possible.

11          Can I amend that to also say that it's for  
12      the purposes of eligibility, that that's why it's  
13      real-time for a driver's license.

14          **Q. I see. Okay.**

15          **So can you break that down for me?**

16          A. In other words, constituents aren't able  
17      to renew their driver's license or -- all the time.  
18      There are business rules with respect to driver's  
19      license renewal that only allow them to renew every  
20      other time because they would have to get a picture  
21      or because they've reached an age threshold that  
22      requires other eligibility --

23          **Q. Okay. So --**

24          A. -- that would allow them to be online.

25          **Q. Okay. So let me make sure I understand**

1 that.

2 An individual who wants to update or  
3 change their address online -- well, scratch that.

4 An individual who wants to renew or change  
5 their driver's license address online may only be  
6 eligible to do so if certain criteria are met. Is  
7 that correct?

8 A. Correct.

9 Q. And because -- that -- that distinguishes  
10 an online change of address or driver's license  
11 renewal from -- from the services that would use  
12 TOAS, which wouldn't have an eligibility threshold.  
13 Is that correct?

14 A. Correct.

15 Q. And so because of this eligibility  
16 criteria, Texas.gov goes straight to DPS to inquire  
17 about whether that criteria has been met. Is that  
18 correct?

19 A. Correct.

20 Q. And they do that at the same time that  
21 they also are authenticating?

22 A. Yes.

23 Q. In terms of determining whether the user  
24 is eligible, is that -- how does that work? Does --  
25 does Texas.gov in real-time send a request, and then

1 DPS -- you tell me. How does it work?

2 MR. DOW: With respect to?

3 Q. So you've mentioned for TOAS, DPS every  
4 night sends a batch file, correct?

5 A. Yes.

6 Q. Okay. And so when a user is being  
7 authenticated that way, Texas.gov has the data in the  
8 batch file, is able to check what the user entered  
9 against what DPS has provided. Is that correct?

10 A. Yes.

11 Q. When it comes to a DPS user where there is  
12 also an eligibility question, how does DPS tell  
13 Texas.gov the user is eligible?

14 A. Texas.gov sends a real-time authentication  
15 and eligibility request to DPS and DPS, essentially,  
16 sends back a real-time yes or no.

17 (Exhibit 4 was marked.)

18 Q. Hand you what I've marked as Exhibit 4.  
19 This is a printout of a document produced to us as  
20 NIC 004438. You've already told me a little bit  
21 about the services that Texas.gov provides to DPS and  
22 the Secretary of State's office, but I wanted to look  
23 at this list. This is from a tab labeled "2017," so  
24 I'd like to know if this is still current and see if  
25 you can describe for me a little bit about what this

1       **says.**

2                       So the first -- the first line says  
3       **"Application BDR,"** and it says that's for the agency  
4       Texas Department of Public Safety. And the  
5       application description is **"Batch Driver Record."**  
6       What is that?

7               A. That is drive record accesses for  
8       insurance companies and pre-employment providers.

9               **Q. And it says that's not URL-based?**

10              A. Correct.

11              **Q. What does that mean?**

12              A. That means that the end user customer  
13       essentially provides us with a batch file requesting  
14       driver records. We have a tool that allows us to  
15       request that record from the DPS and then build a new  
16       batch file and send it back to the requesting  
17       customer.

18              **Q. Okay. So that's not -- that's not done in**  
19       **connection with any services offered to customers on**  
20       **Texas.gov?**

21              A. It is -- It is not available on the  
22       Texas.gov website. It is a service of the Texas.gov  
23       program.

24              **Q. Okay. Okay. Right. Okay. So we'll**  
25       **distinguish the website again from the actual --**

1 A. Yes. Sorry. Yes.

2 Q. -- it's fine. That's my mistake.

3 Okay. And we discussed -- looking down  
4 the list it says "DLE" under "Application." That's  
5 for driver's license eligibility or reinstatement.  
6 We've discussed that. Correct?

7 A. Yes.

8 Q. And "DLR." That says "Driver License  
9 Renewal." I just want to be clear. That is -- is  
10 referring to driver's license renewal offered online  
11 via Texas.gov only. Is that correct?

12 A. Yes.

13 Q. Does that also encompass the change of  
14 address option offered on Texas.gov?

15 A. Yes.

16 Q. Okay. So when we see in documents "DLR,"  
17 that would be referring to the combination of online  
18 Texas driver's license renewal or change of address?

19 A. Yes.

20 Q. And it would also refer to a change of  
21 address offered through DPS but for an ID card as  
22 opposed to a driver's license?

23 A. Yes.

24 Q. For those ID card transactions, is there  
25 also the eligibility check in real-time to DPS?



1 A. Yes.

2 Q. Going down the list. We also discussed --  
3 well, it lists here "OTC." And it says, "Over the  
4 Counter." That's the kind of financial end of the  
5 in-person transactions that we discussed. Correct?

6 A. Yes.

7 Q. The cash drawer?

8 A. Yes.

9 Q. Going back just above that I see "IVR,  
10 Texas Department of Public Safety" it says "IVR  
11 Address Change." What is that?

12 A. The IVR is the interactive voice response,  
13 or telephone version of the driver's license renewal  
14 and address change service.

15 Q. Okay. And so although it says "IVR  
16 Address Change," that would refer to both the renewal  
17 and address change for a driver's license or ID card,  
18 correct?

19 A. Yes.

20 Q. And then here looking -- looking down  
21 below that, it says, "SOS Texas office of the  
22 Secretary of State, SOS voter registration, Address  
23 Change." So when we see SOS listed as an  
24 application, it's referring to that single voter  
25 registration and address change service. Is that

1 the payments only transactions?

2 A. Yes.

3 Q. So it says 1,293,502. That would be the  
4 total for payments only online renewal or change of  
5 address?

6 A. Yes.

7 Q. The next one, \$1,294,665, that would be  
8 for all driver's license renewal or change of address  
9 transactions in 2012?

10 A. Yes.

11 Q. So looking through this it looks like  
12 there is a -- you know, a steady increase. Is that  
13 fair?

14 A. Yes.

15 Q. And it looks like between 2012 and 2013  
16 there's -- you know -- a difference of less than  
17 100,000. Same in the next year. Then it looks like  
18 there might -- there's a -- more of an increase in  
19 2016. Is that correct? Between 2016 and 2015?

20 A. Yes.

21 Q. Do you attribute that to -- is there any  
22 explanation for that?

23 A. Texas.gov has a substantial marketing  
24 program as part of the master agreement that promotes  
25 driver's license services. DPS also promotes the

1 service.

2 Q. What does that promotion entail for online  
3 driver's license renewal and change of address?

4 A. We have online ads and -- oh. I guess you  
5 would call them interactive media, like Hulu  
6 commercials that run that were really added in 2015.  
7 We've always had the online advertising.

8 Q. And is that to promote the online driver's  
9 license renewal and change of address as opposed to  
10 in office or mail change of address or renewal?

11 A. It's actually not specific essentially to  
12 driver's license renewal, it is actually an  
13 advertisement for Texas.gov/driver. In the  
14 commercials. Use case is related to vehicle  
15 registration -- online vehicle registration and  
16 online driver's license renewal are presented in  
17 those ads.

18 Q. Okay. But -- and so with respect to the  
19 driver's license renewal aspect, if any kind of  
20 marketing, what does the marketing convey about  
21 driver's license renewal?

22 A. It's the convenience and ease of using any  
23 online service.

24 Q. Is that something that Texas NIC developed  
25 along with or with input from DPS?

1 A. Yes.

2 Q. And did DPS convey to Texas NIC anything  
3 about -- about why they were hoping to promote online  
4 renewal and change of address services?

5 A. The advertising is really driven from  
6 Texas NIC's perspective. Again, as I explained we  
7 have a self-funded business model in which case we  
8 recuperate our program's operating expenses and the  
9 development of the software on a transactional basis.  
10 So when we drive transactions, we drive additional  
11 revenues.

12 Q. I see. So does that mean, though, that  
13 DPS hasn't conveyed one way or another any kind of  
14 marketing intention or traffic-flow intention for the  
15 online driver's license renewal and change of  
16 address?

17 A. They have indicated that they do want more  
18 online renewal. It eases the burden in their offices  
19 and on paper processes.

20 Q. How about the service offered with  
21 Secretary of State for online address change for  
22 voter registration, is that promoted at all by Texas  
23 NIC?

24 A. Yes.

25 Q. How so?

1 says it's a political risk. Is that correct?

2 A. Yes.

3 Q. What's Texas NIC's understanding of why  
4 there would be a political risk associated with this  
5 issue?

6 A. I don't know. I don't know what was  
7 represented to the person that took the request.

8 Q. Okay. Well, did -- were you personally  
9 involved at all in addressing this request or issue?

10 A. No.

11 Q. Texas NIC and its client agencies, do they  
12 have regular meetings to discuss the applications  
13 that are hosted on Texas.gov?

14 A. Some do.

15 Q. And Texas NIC and the Department of Public  
16 Safety have regular meetings to discuss the  
17 DPS-related applications on Texas.gov. Is that  
18 correct?

19 A. Yes.

20 Q. Were you -- was Texas NIC meeting with DPS  
21 regularly in September of 2016?

22 A. Yes.

23 Q. And how about earlier in the year in  
24 February of 2016?

25 A. Yes.

1 A. No.

2 Q. Okay. Other than the few kind of  
3 documented voter registration verbiage or radio  
4 button-related issues, are there any other driver  
5 license renewal or change of address, voter  
6 registration-related tickets or concerns that have  
7 been brought to NIC's attention or that NIC has  
8 brought up in the last few years?

9 A. There may be tickets or e-mails exchanged,  
10 particularly with DIR and possibly DPS, related to  
11 pending legislation related to online voter  
12 registration in each of the last several sessions.

13 Q. And as far as that goes, how would that  
14 relate to the DPS driver license renewal or change of  
15 address application?

16 A. It doesn't.

17 Q. If the -- if legislation were to pass to  
18 require online or automatic voter registration, how  
19 would that impact the driver license renewal or  
20 change of address application?

21 A. I wouldn't expect it to.

22 Q. Well, if DPS indicated that -- that there  
23 needed to be an actual voter registration component  
24 of the driver license renewal or change of address  
25 application, is that something NIC could implement?

1           A. Technically I think there's -- almost  
2 anything can be accomplished, yes.

3           Q. What about just in terms of the response  
4 to that question with the radio button, the "I want  
5 to register to vote," if DPS requested that NIC  
6 provide DPS with the user's response to that  
7 question, could NIC do that?

8           A. Yes, if DPS asked us to do that as part of  
9 a requirement or change request, we could do that.

10          Q. What about -- well, let's look -- maybe we  
11 don't need to.

12                 But we looked at the link that the receipt  
13 page directs the user to if they indicate "Yes" in  
14 response to the voter registration question. Do you  
15 remember?

16          A. Yes.

17          Q. Would it be possible for -- for Texas NIC  
18 or Texas.gov to take a user's information entered in  
19 the driver license renewal or change of address  
20 application and populate a voter registration form  
21 with those responses?

22          A. I'm sorry. Say that again.

23          Q. So in the driver license renewal and  
24 change of address application, a user enters various  
25 identifying information, like name, date of birth,





1 \_\_\_\_\_.

2 I further certify that pursuant to FRCP No.  
3 30(f)(i) that the signature of the deponent:

4   X   was requested by the deponent or a party  
5 before the completion of the deposition and that the  
6 signature is to be returned within 30 days from date  
7 of receipt of the transcript. If returned, the  
8 attached Changes and Signature Page contains any  
9 changes and the reasons therefor;

10 \_\_\_\_\_ was not requested by the deponent or a  
11 party before the completion of the deposition.

12 I further certify that I am neither counsel  
13 for, related to, nor employed by any of the parties  
14 in the action in which this proceeding was taken,  
15 and further that I am not financially or otherwise  
16 interested in the outcome of the action.

17 Certified to by me this 13th of April, 2017.

18  
19   
20

21 Tamara Chapman, CSR, CRR, RPR  
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IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

Defendants.

Civil Action  
No. 5:16-cv-00257-OLG

**CERTIFIED  
TRANSCRIPT**

\*\*\*\*\*  
ORAL AND VIDEOTAPED DEPOSITION OF  
JOHN CRAWFORD  
FEBRUARY 17, 2017  
VOLUME 1  
\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF JOHN CRAWFORD,  
produced as a witness at the instance of the Plaintiffs,  
and duly sworn, was taken in the above-styled and  
numbered cause on the 17th day of February, 2017, from  
10:06 a.m. to 4:35 p.m., before STEVEN STOGEL, CSR in  
and for the State of Texas, reported by machine  
shorthand, at the office of the Attorney General, 300  
West 15th Street, Suite 1100, Austin, Texas, pursuant to  
the Federal Rules of Civil Procedure and the provisions  
stated on the record or attached hereto.

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MR. AARON HAGEL, Videographer

I N D E X

PAGE

Appearances.....	2
WITNESS: JOHN CRAWFORD	
Examination by Ms. Champion.....	6
Examination by Ms. Stevens.....	126
Reporter's Certificate.....	152

EXHIBITS

EXHIBIT NAME	DESCRIPTION	PAGE
Exhibit 1.	Notice of Deposition	24
Exhibit 2.	12/22/14 Texas DPS DLS - Use Case Specification: Create Daily Update File for SOS - Version 1.9	54
Exhibit 3.	12/29/14 Texas DPS DLS - Use Case Specification: Create Voter Registration Extract File - Version 6.9	54
Exhibit 4.	DPS Overview	65
Exhibit 5.	Form DL-14A (Rev. 6/14) Application for Texas Driver License or Identification Card	70
Exhibit 6.	Form DL-64 (Rev. 3/16) Application for Change of Address on Valid Texas Driver License (DL) & Identification Card (ID)	77
Exhibit 7.	Form DL-64 (Rev. 9/13) Application for Change of Address on Valid Texas Driver License (DL) & Identification Card (ID)	77

EXHIBITS

EXHIBIT NAME	DESCRIPTION	PAGE
Exhibit 8.	Screenshot - Texas DPS - Driver License Renewal and Change of Address Page	85
Exhibit 9.	PowerPoint Entitled "The National Voter Registration Act and Voter Registration Applications ... an Overview"	100
Exhibit 10.	12/4/15 Email from Lauren Petty	107
Exhibit 11.	6/8/16 Email String	13

Exhibit 5?

(Exhibit No. 5 marked)

Q. (By Ms. Champion) This form, Exhibit 5, at the top says "Application for Texas Driver License or Identification Card." Is that correct?

A. Yes.

Q. And it has many fields on the front page of the form. Would you agree?

A. Yes.

Q. Do each of these fields reflect a corresponding field within the DLS?

A. Yes.

Q. For Question 2, which reads, "If you are a U.S. citizen, would you like to register to vote? If registered, would you like to update your voter information?"

Is there a field for that in DLS?

A. Yes.

Q. And what does it look like on your end? Does it have that exact language? Can you explain the field?

A. It would have -- on the screen in the driver license application, it would have a tag that says "voter registration," and an entry would be "yes" or "no."

So I don't believe that it has the entire

1 on their prioritizations. Ultimately it's my  
2 responsibility for work assignment.

3 Q. Do you know who at the driver's license  
4 division would have made the request?

5 A. I don't know who made that request, no.

6 Q. Do you look how we can find out?

7 A. It would be in the JIRA ticket.

8 Q. We talked about all of the information from  
9 Exhibit 5 being input into DLS. Do you know if every  
10 form that a customer fills out in person at a DPS office  
11 is the same in that it would have multiple fields that  
12 would all go into -- into the DLS?

13 A. I'm not familiar with every form that would be  
14 available in a driver license office, and I can't -- I  
15 couldn't confirm for certain that every one would be  
16 included.

17 Q. Does the DLS only store electronic signatures?

18 A. Yes.

19 Q. But there --

20 A. Well, I'm not sure what -- could you -- could  
21 you clarify that a little bit, please?

22 Q. Sure. Does the DLS only store signatures  
23 which are input using the keypad?

24 A. The DLS database itself, yes, it only stores  
25 signatures that are collected on those electronic pads.

1           Q.     Would there ever be a situation where there's  
2     a file within DLS that is an image of a scanned  
3     signature?

4           A.     Customer service representatives do scan  
5     documents that have physical signatures. Those are  
6     stored by a vendor. They're not stored in the driver  
7     license database.

8           Q.     What vendor is that?

9           A.     It's a company called CBM Archive.

10          Q.     So images of scanned documents, including  
11     signatures, are they kept within DLS? Are they stored  
12     within DLS?

13          A.     No. They're stored by CBM Archive in their  
14     environment.

15          Q.     I think you've used the phrase "in their  
16     environment" to refer to not only CBM but also DPS. Can  
17     you explain what that means?

18          A.     CBM Archive has their own computer equipment,  
19     and that's where this information is stored, on their  
20     computer equipment.

21          Q.     Is that what you mean by "the environment"?

22          A.     Yes.

23          Q.     Can a DPS employee look up a scanned document  
24     in DLS?

25          A.     They can look up a scanned document through



1 service. So anything that DPS does with Texas.gov --  
2 Texas.gov -- DPS is the customer, so DPS would dictate  
3 what they do and what appears on their website that  
4 represents DPS.

5 Q. When a DPS customer wants to renew a license  
6 online, can you walk us through the fields that are  
7 completed that DPS receives, what fields they can --  
8 what fields DPS receives from that online transaction?

9 A. I don't know that I'm prepared to do that. I  
10 don't know that I could cover them all. You would need  
11 the driver license number, and there's a -- an  
12 identification number on the license that is required,  
13 but I don't use that service -- I mean, I haven't, so I  
14 can't tell you all the pieces of information that are --  
15 that are entered on that screen.

16 MS. CHAMPION: I would like to mark this  
17 document -- I forgot where we left off -- as Exhibit 8,  
18 I believe.

19 (Exhibit No. 8 marked)

20 Q. (By Ms. Champion) Does this appear to you to  
21 be a website from Texas.gov?

22 A. Yes.

23 Q. Would this be where a customer would renew or  
24 change the address on a driver's license?

25 A. Yes.

1 What -- what is purge status?

2 A. I'm sorry. I don't know. I would have to --  
3 I'd have to research that. I don't know what that  
4 designator is.

5 Q. Is it fair to say that somebody on your team,  
6 the people that you manage, would be able to answer that  
7 question?

8 A. Either someone from my team or someone from  
9 the business would be able to answer that question, yes.

10 Q. I'm going to turn your attention back to the  
11 mail-in change of address, the current one -- so I think  
12 that's Exhibit 6.

13 With regard to the batch that's sent to  
14 the Secretary of State at night for the voter  
15 registration, if the person answers "yes" on their  
16 change of address that's mailed in and that's input into  
17 DLS, it's the electronic signature that was previously  
18 provided the last time that person went in person.  
19 That's the signature that goes to the Secretary of  
20 State. Is that right?

21 A. Yes, that's correct.

22 Q. There's not -- I've not a scan of the  
23 signature that is required on Exhibit 6?

24 A. It is not. That's correct.

25 Q. Okay. The information -- when someone calls

1 Q. To DLS?

2 A. Yes.

3 Q. And the answer to the question "Do you want to  
4 be an organ donor?" that question gets sent to DLS?

5 A. Yes, that's correct.

6 Q. Okay. And DLS is fully capable of receiving  
7 the answer to the question do you want to register to  
8 vote -- capable of receiving it from Texas.gov. Is that  
9 correct?

10 A. Not currently.

11 Q. It's programmable such that DLS could receive  
12 the answer to the question do you want to register to  
13 vote from Texas.gov?

14 A. Yes.

15 Q. And like you pointed out with Ms. Champion,  
16 that data field already exists, do you want to register  
17 to vote. Is that correct?

18 A. There is a data field that exists, yes.

19 Q. So the program would need to be rewritten such  
20 that the information from Texas.gov changes the answer  
21 to that question within DLS. Is that right?

22 A. I can't tell you exactly how the process would  
23 work without analysis.

24 Q. Okay.

25 A. That would require analysis in a use case to

1 determine if that was the right process.

2 Q. Have you ever done that analysis?

3 A. No.

4 Q. Would you have to get that request from  
5 someone with DLD to do that analysis?

6 A. Yes.

7 Q. And DLD is the driver's license department.  
8 Correct?

9 A. Driver license division.

10 Q. Division.

11 A. Yes.

12 Q. Excuse me. Thank you. Just to clarify, the  
13 system, DLS itself, is capable of having the  
14 information -- of obtaining the information should  
15 Texas.gov send it to you. Is that fair?

16 A. Yes.

17 Q. Do I have it right that if someone goes online  
18 to either change their address or, within a renewal,  
19 they do something to change -- change their address,  
20 change their name, something like that -- that  
21 information all is going from DLS, once they receive  
22 it -- once it receives it -- to the Secretary of State  
23 in that second batch we've been talking about?

24 A. Yes.

25 Q. Okay. So, hypothetically, if DLS did what you

1 said -- you needed to do the analysis and see how  
2 exactly it would need to communicate with Texas.gov to  
3 start tracking the answer "yes" or "no," "Do you want to  
4 register to vote?" -- hypothetically, they've done that  
5 and the answer is "yes." Okay?

6 A. Okay.

7 Q. Okay? Are you with me so far?

8 A. Okay.

9 Q. Okay. DLS is also capable of sending that  
10 information on to the Secretary of State's Office.  
11 Correct?

12 MS. MACKIN: Objection; form. You can  
13 answer.

14 A. Technically, yes.

15 Q. (By Ms. Stevens) It's capable of doing it?

16 A. From an IT perspective, yes.

17 Q. Okay. And if it were to do that, it could  
18 also send the previously provided electronic signature  
19 from that customer, just like it does with a mail-in  
20 change of address.

21 A. Yes.

22 Q. Okay. And I just want to go back to -- you  
23 said technically it can do what I just asked you two  
24 questions ago. Are you hesitating because someone needs  
25 to actually have you put that in place in the system?

1 I, JOHN CRAWFORD, have read the foregoing  
2 deposition and hereby affix my signature that same is  
3 true and correct, except as noted above.

4  
5 \_\_\_\_\_  
JOHN CRAWFORD

6  
7 THE STATE OF \_\_\_\_\_)

8 COUNTY OF \_\_\_\_\_)

9  
10 Before me, \_\_\_\_\_, on this day  
11 personally appeared JOHN CRAWFORD, known to me (or  
12 proved to me under oath or through \_\_\_\_\_)  
13 (description of identity card or other document) to be  
14 the person whose name is subscribed to the foregoing  
15 instrument and acknowledged to me that they executed the  
16 same for the purposes and consideration therein  
17 expressed.

18 Given under my hand and seal of office this the  
19 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

20  
21  
22 \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
23 THE STATE OF \_\_\_\_\_  
24  
25

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,

Plaintiffs,

v.

ROLANDO B. PABLOS, IN HIS  
OFFICIAL CAPACITY AS THE  
SECRETARY OF STATE and STEVEN  
C. McCRAW, IN HIS OFFICIAL  
CAPACITY AS THE DIRECTOR OF  
THE TEXAS DEPARTMENT OF PUBLIC  
SAFETY,

Defendants.

§  
§  
§  
§ Civil Action  
§ No. 5:16-cv-00257-OLG  
§  
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§  
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§

REPORTER'S CERTIFICATION  
DEPOSITION OF JOHN CRAWFORD  
February 17, 2017

I, Steven Stogel, Certified Shorthand Reporter in  
and for the State of Texas, hereby certify to the  
following:

That the witness, JOHN CRAWFORD, was duly sworn by  
the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

That the original deposition was delivered to  
MR. PETER A. KRAUS.

That a copy of this certificate was served on all  
parties and/or the witness shown herein on  
\_\_\_\_\_, 2017.

1 I further certify pursuant to FRCP Rule 30(f)(1)  
2 that the signature of the deponent:

3  X  was requested by the deponent or a party  
4 before the completion of the deposition and that the  
5 signature is to be before any notary public and returned  
6 within 30 days (or \_\_\_\_ days per agreement of counsel)  
7 from date of receipt of the transcript. If returned,  
8 the attached Changes and Signature Page contains any  
9 changes and the reasons therefore:

10 \_\_\_\_ was not requested by the deponent or a  
11 party before the completion of the deposition.

12 That the amount of time used by each party at the  
13 deposition is as follows:

14 MS. CASSANDRA CHAMPION.....4:09

15 MS. BETH STEVENS.....0:31

16 That pursuant to information given to the  
17 deposition officer at the time said testimony was taken,  
18 the following includes counsel for all parties of  
19 record:

20 FOR THE PLAINTIFFS: MS. CASSANDRA CHAMPION

21 FOR THE DEFENDANTS: MS. ANNE MARIE MACKIN

22 FOR TEXAS DPS: MS. KATHLEEN T. MURPHY-DARVEAU

23 That \$ \_\_\_\_\_ is the deposition officer's charges  
24 to the Plaintiffs for preparing the original deposition  
25 transcript and any copies of exhibits;



1 I further certify that I am neither counsel for,  
2 related to, nor employed by any of the parties or  
3 attorneys to the action in which this testimony was  
4 taken, and further that I am not financially or  
5 otherwise interested in the outcome of this action.

6 Certified to by me this the 23rd day of  
7 February, 2017.

8  
9  
10 

11 Steven Stogel  
12 CSR 6174  
13 Expiration Date: December 31, 2018  
14 HG Litigation Services  
15 Firm No. 69  
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25

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,

Plaintiffs,

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ROLANDO B. PABLOS, IN HIS  
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SECRETARY OF STATE and STEVEN  
C. McCRAW, IN HIS OFFICIAL  
CAPACITY AS THE DIRECTOR OF  
THE TEXAS DEPARTMENT OF PUBLIC  
SAFETY,

Defendants.

§  
§  
§  
§  
§ Civil Action  
§ No. 5:16-cv-00257-OLG

**CERTIFIED  
TRANSCRIPT**

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF  
BRIAN KEITH INGRAM  
MARCH 22, 2017  
VOLUME 1

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF BRIAN KEITH  
INGRAM, produced as a witness at the instance of the  
Plaintiffs, and duly sworn, was taken in the  
above-styled and numbered cause on the 22nd day of  
March, 2017, from 9:33 a.m. to 5:19 p.m., before STEVEN  
STOGEL, CSR in and for the State of Texas, reported by  
machine shorthand, at the office of the Attorney  
General, 300 West 15th Street, Suite 1100, Austin,  
Texas, pursuant to the Federal Rules of Civil Procedure  
and the provisions stated on the record or attached  
hereto.

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Secretary of State  
MR. JUSTIN TALBOT: Videographer

I N D E X

PAGE

Appearances.....	2
WITNESS: BRIAN KEITH INGRAM	
Examination by Ms. Stevens.....	6
Examination by Ms. Mackin.....	211
Reporter's Certificate.....	216

EXHIBITS

EXHIBIT NAME	DESCRIPTION	PAGE
Exhibit 1.	Notice of Deposition	14
Exhibit 2.	7/22/16 Letter from Joe Peters to Keith Ingram with Attachment	33
Exhibit 3.	Form DL-64 (Rev. 9/13)	40
Exhibit 4.	Form DL-64 (Rev. 3/16)	40
Exhibit 5.	Form DL-14A (Rev. 6/14)	43
Exhibit 6.	Form DL-43 (Rev. 6/14)	43
Exhibit 7.	Texas Voter Registration Application	48
Exhibit 8.	2/8/17 Email String with Attachment	80
Exhibit 9.	11/5/12 Email String	83
Exhibit 10.	11/15/12 Email from Betsy Schonhoff to Beva Kellison with Attachment	86
Exhibit 11.	DLS Use Case Specification: Create Voter Registration Extract File Texas DPS - 12/19/14 - Version 6.9	115

EXHIBITS

EXHIBIT NAME	DESCRIPTION	PAGE
Exhibit 12.	PowerPoint Presentation Entitled "34th Annual Election Law Seminar Offline County Presentation"	163
Exhibit 13.	PowerPoint Presentation Entitled "TEAM For Online Counties"	167
Exhibit 14.	DL Applications - Generate Two Output Flat Files - Version 8.2 Prepared for DPS Submission Date: 8/29/07 Revision Date: 4/30/14	181

1           Q.     So you identified for me or explained to me  
2     why -- what the electronic signature or the keypad  
3     signature at DPS is used for. It's used for the  
4     signature that's required in the Texas Election Code.  
5     You read me the section. Is that right?

6           A.     That's right.

7           Q.     What's the ink signature on the DPS's physical  
8     forms used for as far as voter registration?

9           A.     I don't know. I don't know if it's used for  
10    anything. Once they've applied in person at the office,  
11    they've signed it electronically. I guess if there ever

12    was a question, that we'd have to go through the web  
13    portal or the 701 email address about whether or not the  
14    voter signed it. If for some reason the electronic  
15    version didn't have the signature, they would have to go  
16    back and look at the physical application form from DPS  
17    to get the signature.

18          Q.     Would the -- in the scenario you just  
19    described, would the voter have to provide their  
20    signature again so it would be on the actual voter  
21    registration form?

22          A.     No. No. They've already signed. They signed  
23    the physical form and they signed electronically, and  
24    for some reason if we don't get that signature with the  
25    application, we'll go back to DPS and get the physical

1 of the question on the online DPS application?

2 MS. MACKIN: Objection; form.

3 A. I don't know what you mean.

4 Q. (By Ms. Stevens) Why is there a voter  
5 registration question on the online DPS transaction --  
6 application? Excuse me.

7 A. Well, I imagine it's because of Section 5 of  
8 the National Voter Registration Act of 1993.

9 Q. Could you elaborate on that a little bit?

10 A. Sure. The National Voter Registration Act of  
11 1993 required that motor vehicle agencies, in our case  
12 the DPS, whenever a person has a driver's license  
13 transaction -- driver license transaction, that they  
14 should be simultaneously offered the right -- the  
15 ability to update their voter registration or register  
16 to vote for the first time. That's why the NVRA is  
17 called the Motor Voter law.

18 Q. And DPS's compliance with that law for  
19 in-person transactions is the question that we've looked  
20 at on the -- on the DPS forms, "Do you want to register  
21 to vote? I've agreed to provide my electronic  
22 signature, and it can be sent to the Secretary of  
23 State's Office."

24 Is that right?

25 MS. MACKIN: Objection; form.

1 address with the Elections Division?

2 A. It is.

3 Q. Okay. The -- well, let's -- the initial email  
4 says, "I just renewed my driver's license online and was  
5 dismayed that the 'do you want to register to vote'  
6 defaults to 'no.' In my opinion, it should default to  
7 'yes' if you want to encourage people to register to  
8 vote - which should be a goal of the State and the  
9 Elections Division. I hope that this changes in the  
10 future. After all, it's not automatic - one does have  
11 to take additional steps to actually register. Thanks."

12 And then up above that is the response  
13 email from Brenda Hester -- is she in the Elections  
14 Division?

15 A. She is.

16 Q. Okay -- to the individual customer, and said,  
17 "That is something we can discuss with DPS in the  
18 future. Thank you for your input."

19 Did I read that correctly?

20 A. Sure.

21 Q. And Betsy Schonhoff in your office is also  
22 copied on that email. Correct?

23 A. She is.

24 Q. Okay. So in -- back in 2012, the Secretary of  
25 State's Office was aware that the answer to the "do you



1 want to register to vote" question online was defaulting  
2 to no. Is that correct?

3 A. Right.

4 MS. MACKIN: Objection; form.

5 Q. (By Ms. Stevens) Was there any -- any  
6 discussion at that point with the Department of Public  
7 Safety to -- to make that change?

8 A. Not that I recall.

9 Q. Well, what about that the Secretary of State's  
10 Office recalls, since we're here for a 30(b)(6)?

11 A. That's what I -- I don't -- I don't think that  
12 we had that discussion. Betsy might have. You know,  
13 you saw her testimony on this topic, and we can read  
14 that if you want to.

15 Q. Well, I think, since you're here on behalf of  
16 the entity, that you're required to provide the entity's  
17 response. So did the entity -- did the Secretary of  
18 State have any discussions with the DPS back in 2012  
19 about changing that default from no to what it is now?

20 A. I don't know.

21 Q. Are you able to find out?

22 A. Betsy would be the one that would know, and  
23 you read her testimony on this topic. So I can ask  
24 Betsy, but she'll probably give me the same answers. I  
25 do not believe that we had such discussions. But again,

1 Texas Election Code?

2 A. The physical signature that's electronically  
3 captured, yes.

4 Q. Okay. Back to your point about the online  
5 transactions not containing a signature, the DPS does  
6 use the prior provided electronic signature that -- for  
7 the driver's license that they -- the customer used --  
8 provided the last time they were in person. Correct?

9 A. Presumably, yes.

10 Q. The same goes for the mail-in change of  
11 address transaction -- are you looking at your driver's  
12 license there?

13 A. Yeah. Because this one was renewed online,  
14 and so I guess that I wrote that signature at their  
15 signature capture device quite a while ago.

16 Q. Okay. And you're aware that you have to  
17 transact in person with DPS every other transaction?

18 A. Yes.

19 Q. For the mail-in change of address form that --  
20 I think that's an exhibit in front of you -- that DPS  
21 receives that has the voter registration question, there  
22 is not an electronic signature or a -- use your  
23 phrase -- the physical signature provided on a keypad  
24 provided for that change of address interaction.  
25 Correct?

MS. MACKIN: Objection; form.

A. No. There's a physical signature on the -- on the address change application.

Q. (By Ms. Stevens) Right. But the information that gets sent on to the voter registrars through the Secretary of State's Office is the data that's pulled from that form and then the electronic signature that was previously provided by the customer in person at a DPS office?

A. That's my understanding, yes.

Q. Well, is that the Secretary of State's understanding?

A. That is the Secretary of State's understanding. You bet.

Q. So in that same way, the online transaction could utilize the previously provided electronic signature that was provided in person by the customer for the voter registration application form that gets to the voter registrar in the same way that the change of address mail-in occurs?

A. It could if the law allowed it, but the law doesn't allow it, so it can't.

Q. What portion of the law doesn't allow it?

A. 13.002(b).

THE REPORTER: As in boy?

1 registrations to work.

2 Q. So it says that "voters who would otherwise be  
3 eligible may have to cast a provisional ballot." Why is  
4 that? What --

5 A. Because they didn't get registered. If you  
6 don't work your DPS tasks, you're not registering the  
7 voter.

8 Q. Okay.

9 A. The voter is not registered until the voter  
10 registrar registers them.

11 Q. What's the --

12 THE REPORTER: I'm sorry. Until the  
13 voter registrar?

14 THE WITNESS: Registers them.

15 THE REPORTER: Thank you.

16 Q. (By Ms. Stevens) What's the timeframe that  
17 the voter registrar has between receipt of the voter  
18 registration form and when the voter has to be  
19 registered?

20 A. There's not a specific timeframe for that.  
21 The voter needs to have a voter registration certificate  
22 within 30 days.

23 Q. And that's generated by the voter registrar?

24 A. That's right. Whenever the voter registration  
25 is successfully completed, the system kicks out a VR

1 certificate.

2 Q. And the 30 days starts running from the time  
3 that the voter submits the voter registration  
4 application. Is that correct?

5 A. That's correct.

6 Q. Does the Secretary of State's Office --

7 A. That's for all applications, paper or DPS.

8 Q. That 30-day timeframe?

9 A. Yes.

10 Q. Does the Secretary of State ensure that  
11 counties finish their DPS pending tasks before elections  
12 so that all eligible -- all eligible voters can cast a  
13 regular ballot?

14 A. We don't -- I don't know what you mean by  
15 "ensure." We don't tell counties what to do. We  
16 strongly encourage them to get their work done.

17 Q. Okay.

18 A. There's no ensuring anything by a county. We  
19 have on our TEAM system information about how many are  
20 unworked, and we will call the counties that have a  
21 substantial number of unworked ones and ask them what  
22 the deal is and why aren't they finishing.

23 Q. And what if they said, "We're just not going  
24 to do it"?

25 A. That never happens, but if it did, we would

1 A. The --

2 Q. -- the signature issue might --

3 A. Since there's --

4 Q. -- take some working out?

5 A. -- not a signature captured contemporaneously  
6 with the transaction, retrieving the proper signature  
7 from the proper file is a technical thing that Texas.gov  
8 or DPS or somebody would have to overcome.

9 Q. But that signature file is housed within DLS.  
10 Right?

11 A. Presumably.

12 Q. Well, for the -- going back to the mail-in  
13 change of address with DPS, that information goes on to  
14 the Secretary of State. If someone chooses to register  
15 to vote, that signature is retrieved from DLS and sent  
16 on to the Secretary of State. Right?

17 A. It's retrieved from wherever they keep it,  
18 yes.

19 Q. Okay. And, presumably, that same signature  
20 could be sent on if the person answered yes to the voter  
21 registration question online?

22 A. If it was legal to do so. I've already told  
23 you I think that's technically possible. You bet.

24 Q. Okay. And --

25 A. And I don't think it would cost a lot of

1 money. It would cost something to make that change.

2 Q. Okay.

3 A. And I've been told that the technical  
4 procedure -- the technical hurdle to overcome is making  
5 sure you pull the right signature.

6 Q. And who told you that?

7 A. DPS.

8 Q. Who at DPS?

9 A. It was in a conversation about online voter  
10 registration with many stakeholders in the room.

11 Q. And when you say it would be an issue to  
12 determine which signature to pull, how many signatures  
13 are attached to an individual record?

14 A. Well, that's the issue. Which individual  
15 record are you pulling from, and then which signature?  
16 So if somebody has been a driver in Texas, they could  
17 have a lot of signatures on file with the DPS. I don't  
18 know how many they keep, and I don't know what form they  
19 keep them.

20 But I don't -- I don't know. This is not  
21 our process that I'm talking about. This is DPS's  
22 process. DPS has expressed that the technical hurdle to  
23 doing something like this in a similar situation is  
24 retrieving the correct signature. I don't know why  
25 that's difficult. I don't know anything about the

1 details of the difficulty. That is not my issue. It is  
2 not the Secretary of State's issue. I just know what  
3 they've expressed in an open meeting about online voter  
4 registration.

5 Q. But the Secretary of State does know that DPS  
6 is able to pull the proper signature to send on for  
7 voter registration purposes to the Secretary of State  
8 for mail-in change of address forms?

9 A. I'm not arguing with you that this is not  
10 possible. That is not my argument at all. My argument  
11 is exactly to the contrary. This is a very possible  
12 thing to do what you're saying if it was legal, and it's  
13 not legal.

14 Q. Okay. And --

15 A. So I'm not contesting the logistics of it. We  
16 can agree that it's a possible thing to do.

17 Q. Okay. And I'm -- I'm trying to understand,  
18 from the Secretary of State's perspective, how possible.  
19 Is it --

20 A. That I don't know. That's a DPS question.

21 Q. Okay. The -- so you've told me about the  
22 signature potential issue with DPS. Tell me about the  
23 costs that you are referencing.

24 A. That's a DPS question.

25 Q. So the costs are only on the DPS side of this?



1           A.     We have put a fiscal note on online voter  
2 registration of about \$182,000 --

3           **Q.     What does that --**

4           A.     -- for Secretary of State.

5           **Q.     What does that mean?**

6           A.     For changes that we would have to make to TEAM  
7 if there was an online voter registration option in  
8 Texas.

9           **Q.     And -- and let's make the distinction very**  
10 **clear. You're talking about a process that is not the**  
11 **DPS online application that we're talking about. That**  
12 **is a -- a voter registration application that would run**  
13 **through the Secretary of State's Office.**

14          A.     The versions of --

15          **Q.     Is that --**

16          A.     -- online voter registration that have been  
17 proposed in the legislature would be a very similar  
18 process to what you're describing from Texas Online,  
19 where you would be able to go online, request to  
20 register to vote, and DPS would supply the signature  
21 from their file. And those are the only people who  
22 would be eligible to register online, are people who  
23 have a signature on file with the DPS. It is a very  
24 similar process.

25                   This -- this what you're discussing might

1 I, BRIAN KEITH INGRAM, have read the foregoing  
2 deposition and hereby affix my signature that same is  
3 true and correct, except as noted above.

4  
5 BRIAN KEITH INGRAM

6  
7 THE STATE OF \_\_\_\_\_)

8 COUNTY OF \_\_\_\_\_)

9  
10 Before me, \_\_\_\_\_, on this day  
11 personally appeared BRIAN KEITH INGRAM, known to me (or  
12 proved to me under oath or through \_\_\_\_\_)  
13 (description of identity card or other document) to be  
14 the person whose name is subscribed to the foregoing  
15 instrument and acknowledged to me that they executed the  
16 same for the purposes and consideration therein  
17 expressed.

18 Given under my hand and seal of office this the  
19 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

20  
21  
22 NOTARY PUBLIC IN AND FOR  
23 THE STATE OF \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, et al.,

Plaintiffs,

v.

ROLANDO B. PABLOS, IN HIS  
OFFICIAL CAPACITY AS THE  
SECRETARY OF STATE and STEVEN  
C. McCRAW, IN HIS OFFICIAL  
CAPACITY AS THE DIRECTOR OF  
THE TEXAS DEPARTMENT OF PUBLIC  
SAFETY,

Defendants.

§  
§  
§  
§  
§ Civil Action  
§ No. 5:16-cv-00257-OLG  
§  
§  
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§

REPORTER'S CERTIFICATION  
DEPOSITION OF BRIAN KEITH INGRAM  
March 22, 2017

I, Steven Stogel, Certified Shorthand Reporter in  
and for the State of Texas, hereby certify to the  
following:

That the witness, BRIAN KEITH INGRAM, was duly  
sworn by the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

That the original deposition was delivered to MS.  
BETH STEVENS.

That a copy of this certificate was served on all  
parties and/or the witness shown herein on

\_\_\_\_\_, 2017.

I further certify pursuant to FRCP Rule 30(f)(1)  
that the signature of the deponent:

  X   was requested by the deponent or a party  
before the completion of the deposition and that the  
signature is to be before any notary public and returned  
within 30 days (or        days per agreement of counsel)  
from date of receipt of the transcript. If returned,  
the attached Changes and Signature Page contains any  
changes and the reasons therefore:

       was not requested by the deponent or a  
party before the completion of the deposition.

That the amount of time used by each party at the  
deposition is as follows:

MS. BETH STEVENS.....4:48

MS. ANNE MARIE MACKIN.....0:02

That pursuant to information given to the  
deposition officer at the time said testimony was taken,  
the following includes counsel for all parties of  
record:

FOR THE PLAINTIFFS: MS. BETH STEVENS

FOR THE DEFENDANTS: MS. ANNE MARIE MACKIN

That \$            is the deposition officer's charges  
to the Plaintiffs for preparing the original deposition  
transcript and any copies of exhibits;

I further certify that I am neither counsel for,

1 related to, nor employed by any of the parties or  
2 attorneys to the action in which this testimony was  
3 taken, and further that I am not financially or  
4 otherwise interested in the outcome of this action.

5 Certified to by me this the 5th day of  
6 April, 2017.

7  
8   
9

10 Steven Stogel  
11 CSR 6174  
12 Expiration Date: December 31, 2018  
13 HG Litigation Services  
14 Firm No. 69  
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16 Dallas, Texas 75207  
17 1-888-656-DEPO  
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19  
20  
21  
22  
23  
24  
25

IN THE UNITED STATES DISTRICT COURT  
 FOR THE WESTERN DISTRICT OF TEXAS  
 SAN ANTONIO DIVISION

JARROD STRINGER, ET AL.,

Plaintiffs,

VS.

ROLANDO PABLOS, IN HIS  
 OFFICIAL CAPACITY AS THE  
 TEXAS SECRETARY OF STATE  
 and STEVEN C. MCCRAW, IN  
 HIS OFFICIAL CAPACITY AS  
 THE DIRECTOR OF THE TEXAS  
 DEPARTMENT OF PUBLIC  
 SAFETY,

Defendants.

\*  
 \*  
 \*  
 \*  
 \* CIVIL ACTION  
 \*  
 \* NO.: 5:16-cv-00257-OLG  
 \*  
 \*  
 \*  
 \*  
 \*  
 \*  
 \*  
 \*

**CERTIFIED  
 TRANSCRIPT**

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF

SHERI GIPSON

DEPARTMENT OF PUBLIC SAFETY'S 30(b)(6)

MARCH 7TH, 2017

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF SHERI

GIPSON, produced as a witness at the instance of the  
 PLAINTIFFS, and duly sworn, was taken in the  
 above-styled and numbered cause on the 7th of March,  
 2017, from 9:36 a.m. to 6:15 p.m., before Tammy Staggs,  
 CSR in and for the State of Texas, reported by machine  
 shorthand, at the offices of Texas Attorney General's  
 Office, 300 West 15th Street, 11th Floor, Austin, Texas,

pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

That the deposition shall be read and signed under penalties of perjury. That the deposition shall be read and signed before any notary public.

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ALSO PRESENT:

Justin Talbot - Videographer

INDEX

PAGE

Appearances.....	3
Exhibit List.....	6
Stipulations.....	--
SHERI GIPSON:	
EXAMINATION BY MS. CHAMPION.....	11
EXAMINATION BY MS. STEVENS.....	199
EXAMINATION BY MS. SILHAN.....	215
EXAMINATION BY MS. MACKIN.....	216
FURTHER EXAMINATION BY MS. SILHAN.....	222
Signature and Changes.....	234
Reporter's Certificate.....	237

REQUESTED DOCUMENTS/INFORMATION

(None)

CERTIFIED QUESTIONS

(None)

EXHIBITS

NO.	DESCRIPTION	PAGE
1	Plaintiffs' Fourth Amended Notice of	
	Deposition of Defendant Stephen C.	
	McCraw, in his official capacity as the	
	Director of Texas Department of Public	
	Safety, pursuant to Federal Rule of Civil	
	Procedure 30(b)(6).....	14
2	Defendants' Deposition Topic Designations	
	and Objection to Corporate Representative	
	Topics Under Federal Rule of Civil	
	Procedure 31(b)(6).....	15
3A	List of projects scheduled to occur	
	through 2019.....	16
3B	List of the changes that have been made	
	to the driver license system since 2012..	19
3C	Use Case Specification: Process	
	Authentication Request.....	34
3D	Use Case Specification: Process DL	
	Duplicates/Renewals Application File.....	40
3E	Use Case Specification: Create Daily	
	Update File For SOS.....	41
3F	Use Case Specification: Create Voter	
	Registration Extract File.....	43

1	3G	Module 10A: Class C and M Renewal Age 18	
2		and Above, Customer Operations Handbook..	44
3	3H	Screenshots.....	45
4	3I	Module 6: Driver License Forms,	
5		Introduction to Common Non-CDL Forms,	
6		Customer Operations Handbook.....	45
7	3J	DL-64 Manual Address Change Processing...	46
8	3K	Texas Secretary of State Voter Inquiry	
9		Portal.....	48
10	3L	Voter registration paper application	
11		postcard.....	49
12	3M	Texas Driver License and ID Card Renewal	
13		Notice.....	53
14	3N	Texas Commercial Driver License	
15		Application.....	56
16	3O	Application for Renewal/Replacement of a	
17		Texas Driver License or Identification	
18		Card.....	58
19	3P	Application for Texas Driver License or	
20		Identification Card as Exhibit.....	59
21	3Q	Application for Change of Address on	
22		Valid Texas Driver License and	
23		Identification Card.....	59

1	3R	Application for Change of Address on	
2		Valid Texas Driver License and	
3		Identification Card.....	59
4	3S	Screenshots.....	60
5	3T	Screenshots.....	61
6	3U	Texas Department of Public Safety	
7		Driver's License/ID Card Renewal IVR	
8		Script, confidential.....	61
9	3V	Driver's License Renewal Receipt and	
10		Temporary License.....	62
11	3W	Document titled: Texas Department of	
12		Public Safety Temporary Identification	
13		Card.....	62
14	3X	Letter dated July 22nd, 2016.....	62
15	3Y	2016 Original, Renewal, Duplicate and	
16		Modification Issuances for Driver License	
17		and IDs.....	63
18	4	Organizational chart.....	65
19	5	Application Requirements.....	82
20	6	Letter dated September 9th, 2015.....	113
21	7	E-mails between Brenda Hester and Kelly	
22		Walton, dated 11/5/12. Subject: Voting..	129
23	8	Voter inquiry checklist.....	134
24	9	DR-64 forms processed in fiscal year 2014	
25		and 2015.....	148

1 Q. (BY MS. CHAMPION) And -- oh, I should have  
2 done this at the same time. This is also -- I'll have  
3 this marked as Exhibit No. 2, Defendants' Deposition  
4 Topic Designations for this deposition.

5 (Exhibit 2 marked.)

6 Q. (BY MS. CHAMPION) Ms. Gipson, have you seen  
7 Exhibit 1 before, the Notice?

8 A. I do not believe I have. I think the Notice I  
9 have is the third.

10 Q. Okay. This was just filed -- for the record,  
11 this was filed yesterday evening after we rescheduled  
12 the deposition from yesterday to today.

13 A. Okay.

14 Q. So it will be similar to the Third Amended  
15 Notice.

16 A. Okay. So all of the topics are the same?

17 Q. Correct.

18 A. Okay.

19 Q. Did you review Plaintiffs' Third Amended  
20 Notice for today's deposition?

21 A. Yes.

22 Q. And this Notice requests that you produce  
23 documents; is that right?

24 A. Yes.

25 Q. The first category, if we look at page 10,

1 Schedule B, the first category is, (as read): All  
2 documents reviewed in preparation for your deposition.

3 Have you brought any documents today that  
4 you reviewed in preparation for this deposition?

5 A. Yes.

6 Q. Thank you.

7 I'm going to take just one moment and  
8 look at these briefly. We'll go through them more  
9 carefully shortly. I would like to mark this entire  
10 bundle of documents as Exhibit 3, and then we'll go  
11 through each one.

12 (Exhibit 3 marked.)

13 Q. (BY MS. CHAMPION) Okay. The second category  
14 is, (as read): All documents relevant to any deposition  
15 topic set out in Schedule A of the Notice.

16 Do the documents you just gave me, that  
17 we marked as Exhibit 3, include both categories one and  
18 two, documents reviewed and documents relevant, to this  
19 deposition?

20 A. Yes.

21 Q. Do you have the same documents in front of  
22 you?

23 A. I do.

24 Q. Okay. Can you tell me what the first page is?

25 A. The first page is the list of the projects

1 to renew or change your driver's license information  
2 online?

3 A. No, ma'am.

4 Q. So now that we're going through this exhibit  
5 page by page, I wonder if we can mark each page as a  
6 different attachment. So this would be 3A.

7 (Exhibit 3A marked.)

8 MS. CHAMPION: Thank you.

9 Q. (BY MS. CHAMPION) Each document will be  
10 marked as a different exhibit. This happens to be one  
11 page, which is 3A. Thank you.

12 MS. CHAMPION: Moving on, may we mark  
13 this second document as 3B?

14 (Exhibit 3B marked.)

15 Q. (BY MS. CHAMPION) Can you tell me what this  
16 document is?

17 A. This document is a list of the changes that  
18 have been made to the driver license system since 2012.

19 Q. I guess I want to know two things: one, which  
20 of these changes, if any, relate to online driver  
21 license transactions; and then secondly, if any of them  
22 relate to voter registration. So can you go through the  
23 list and --

24 A. Yes.

25 Q. -- look for both of those?



MS. MACKIN: Okay. Thanks. Yeah, and I -- I -- I mentioned this in passing to Beth yesterday. I'll put it down in writing. I appreciate that.

**Q. (BY MS. CHAMPION) Okay. So looking at Exhibit 3C, I'm somewhat familiar with a couple of different Use Cases. What is this particular one for?**

A. This process authentication request is the request that comes from us from Texas.gov when an individual is logging in to obtain either a DL or ID renewal or address change. This is the information that they pass to us so that the driver license system can make the determination of what transactions that individual is eligible for.

MS. MACKIN: And so I'll just note that this has not been previously produced because it was not -- this transfer of information between Texas.gov and the Department of Public Safety was not responsive to any of the requests to date.

MS. CHAMPION: Okay.

**Q. (BY MS. CHAMPION) So just to recap, let me see if I've got it correct. That this Use Case tells DLS what information Texas.gov -- sorry. No, I don't think I have it. Explain it one more time.**

A. So this is the Use Case that describes the information that comes to DLS from Texas.gov when the

1 individual is logging in to either do a DL or ID renewal  
2 or change of address. So the information is transmitted  
3 to -- to DLS, and then this prepares the response that  
4 goes through the rules and sends the eligibility flag  
5 back to Texas.gov telling them that yes, they're  
6 eligible to renew or no, they're not.

7 Q. And this Use Case was published on May 10th,  
8 2016; is that right?

9 A. That was the most recent, yes.

10 Q. Has it been updated since then?

11 A. This is the most recent that was as of last  
12 Friday. No changes have been made since then, to my  
13 knowledge.

14 Q. Is this process described in the Use Case  
15 something that happens in realtime when a customer is on  
16 the Texas.gov website?

17 A. Yes, ma'am.

18 Q. Okay. So information is in realtime sent to  
19 DLS. DLS runs -- processes the information, and then  
20 lets Texas.gov know if that customer is eligible for  
21 either the renewal or the change of address that they're  
22 trying to complete?

23 A. That is correct.

24 Q. And it then is only relevant to online  
25 transactions?

1 A. Correct.

2 Q. I would like to go through this a little bit.  
3 There's a chart on the first page that shows revision  
4 history.

5 A. Correct.

6 Q. And you confirmed that the May 10th, 2016 was  
7 the most recent. Why was it most recently updated?

8 A. Let me refer back. I will have to confirm  
9 that with our team.

10 Q. Does this Use Case pertain to both driver  
11 license renewals and change of address?

12 A. Yes.

13 Q. Is that because that process is combined  
14 online?

15 A. Well, it's -- it's one system interface, so  
16 yes.

17 Q. Does this Use Case specify that anything  
18 related to voter registration is sent to DLS from  
19 Texas.gov?

20 MS. MACKIN: Objection, form.

21 You can answer.

22 Q. (BY MS. CHAMPION) Should I rephrase?

23 A. Yes, please.

24 Q. Okay. Does this Use Case relate in any way to  
25 voter registration?

1 the Secretary of State?

2 A. From the data that's going back and forth  
3 between the two of us?

4 Q. Yes.

5 A. No.

6 Q. All right. Let's go to the next document,  
7 which will be 3D.

8 A. Just so that I'm sure, are you looking at the  
9 process DL duplicates renewal?

10 Q. Yes. The title of Exhibit 3D is Use Case  
11 Specification: Process DL Duplicates/Renewals  
12 Application File.

13 (Exhibit 3D marked.)

14 Q. (BY MS. CHAMPION) What is this Use Case for?

15 A. This is the Use Case that shows the  
16 information that's coming from Texas.gov in the batch  
17 file that we use to actually update the driver license  
18 and identification card records.

19 Q. Okay. And when was it most recently updated?

20 A. April of 2016.

21 Q. And why was it most recently updated?

22 A. Again, I will have to contact someone on break  
23 and find out what that ticket number is in reference to.

24 Q. Does this Use Case relate to voter  
25 registration in any way?

1 A. No, ma'am.

2 Q. I'm just looking...

3 A. The application data that's transferred back  
4 to us in this file, starts on page 6.

5 Q. Thank you.

6 And does this also occur in realtime?

7 A. No, ma'am. This is a batch process that  
8 occurs nightly.

9 Q. And why does it occur nightly rather than in  
10 realtime?

11 A. Again, that's a systemic decision that was  
12 made because of processing time and resource to the  
13 database.

14 Q. I'm going to move to the next document, which  
15 I would like to mark 3E.

16 MS. MACKIN: For the record, what's the  
17 title on that document?

18 MS. CHAMPION: It's Use Case  
19 Specification: Create Daily Update File For SOS. I  
20 think I got some of them out of order. I'm sorry.

21 MS. MACKIN: That's okay. I just want to  
22 make sure we're all looking at the same thing.

23 MS. CHAMPION: Yes.

24 (Exhibit 3E marked.)

25 Q. (BY MS. CHAMPION) This document has been

1 produced to us previously; is that right?

2 A. I believe so, yes.

3 Q. And this document I believe is for whenever --  
4 tell me if I'm correct -- whenever a customer completes  
5 a transaction through DPS and any of their  
6 information -- such as name, address -- changes,  
7 then nightly that information is batched and sent to the  
8 Secretary of State; is that correct?

9 A. That is correct.

10 Q. And does -- I think we have gone over this one  
11 previously. Does it include any voter registration  
12 information?

13 A. It does.

14 Q. What does it include regarding voter  
15 registration?

16 A. It in- -- it includes the field that is in  
17 driver license that says voter registration. It will be  
18 a "yes" or "no." And it will be the data that is  
19 current- -- that is in the system at the time it's  
20 created.

21 Q. Where can I look?

22 A. On page 6, it's actually the very last box.

23 Q. And so you said this will be the information  
24 that's in the system when it was first created.

25 A. When this file is created. So each night it

1 pulls from the database what's -- what information is in  
2 there.

3 Q. But this will never be voter registration  
4 status that is collected from an online transaction; is  
5 that -- is that right?

6 A. If they created a -- or if they changed their  
7 address, it wouldn't be included in this file. But it  
8 would not include information to the voter question  
9 that -- from the online renewal. It would be whatever  
10 was in the database at the time, which that means it  
11 could be a "yes," "no," or blank.

12 Q. Okay. And I would like to mark as 3F a  
13 document titled: Use Case Specification: Create Voter  
14 Registration Extract File.

15 (Exhibit 3F marked.)

16 Q. (BY MS. CHAMPION) Has this document been  
17 produced to us before?

18 A. I believe so, yes.

19 MS. MACKIN: Yes.

20 Q. (BY MS. CHAMPION) I think we're going to get  
21 into specifics about this later. Let's look at --  
22 goodness, you have almost as many documents as I do.  
23 Document 3F [sic] is titled Class C and M Renewal Age 18  
24 and Above. Okay. The previous document was 3F. This  
25 one will be 3G.

1 A. Correct.

2 Q. Signature captures. What are DPS employees --  
3 you know what -- I'm sorry, I keep starting and  
4 stopping. I'm going to ask you a bunch of things about  
5 signatures later, so --

6 A. Okay.

7 Q. -- I'll just move on to -- I'm marking this  
8 document 3H.

9 (Exhibit 3H marked.)

10 Q. (BY MS. CHAMPION) What is this document?

11 A. So in the training modules, it didn't give  
12 clear screenshots of the additional question. So when  
13 you answer "yes" to the voter registration, the voter  
14 status -- if you look at the second picture, it just is  
15 demonstrating that it comes up and they select whether  
16 it's a change, a new, or a replacement. And then the  
17 bottom is just what it shows if it's "no." Nothing else  
18 pops up.

19 Q. Has DLS always reflected whether a voter  
20 registration information category is a new, a  
21 replacement, or a change?

22 A. I believe so. Those are for in-office  
23 transactions screens.

24 Q. Can we mark this document titled: Driver  
25 License Forms, Introduction to Common Non-CDL Forms as



1 3I?

2 (Exhibit 3I marked.)

3 Q. (BY MS. CHAMPION) What is this document used  
4 for?

5 A. It's just another one of the training modules.  
6 On page 5 it reflects that -- who is eligible to answer  
7 "yes" to the voter registration question, as far as age.

8 Q. I would like to mark the document called DL-64  
9 Manual Address Change Processing as 3J.

10 (Exhibit 3J marked.)

11 Q. (BY MS. CHAMPION) What is this document used  
12 for?

13 A. This is a training document that is used for  
14 our customer support specialists at the headquarters  
15 operations that process the DL-64 change of address  
16 forms.

17 Q. Has this document been produced to us  
18 previously?

19 A. I do not believe.

20 Q. I might like some time to look over this  
21 during a break and come back to it.

22 But it's dated February 22nd, 2017; is  
23 that correct?

24 A. That's correct.

25 Q. That's fairly recently. Why was it -- or was

1 Q. Is it the 18 -- same 18 individuals that you  
2 mentioned who use Exhibit 3J? Are those the people who  
3 make up the Manual Services unit?

4 A. Yes.

5 Q. Sorry. Who created this voter inquiry portal  
6 summary?

7 A. I would have to double check, but I believe it  
8 was Steve Spinac as well.

9 Q. And why did he create this?

10 A. To assist in the training of individuals who  
11 would be working portal inquiries.

12 Q. Do you know when it was created?

13 A. I do not have the original date. The last  
14 time it was updated was in October of 2016, prior to the  
15 beginning of the election process. And it was to --  
16 they added information regarding the change in the DL-64  
17 process that they would need to look at that document.

18 Q. I would like to mark this document 3L. I  
19 believe it is a voter registration paper application  
20 postcard.

21 (Exhibit 3L marked.)

22 Q. (BY MS. CHAMPION) What is this document?

23 A. This document is the application that is sent  
24 out with our mail renewal notice applications.

25 Q. And when was it last updated?

1 process, and this was established then.

2 Q. (BY MS. CHAMPION) Why does DPS offer  
3 customers the opportunity to register with a separate  
4 voter registration when they're sent renewal notices by  
5 mail? Why does DPS send this with the notice?

6 MS. MACKIN: Objection, form.

7 You can answer.

8 A. Again, it's because we are -- we are giving  
9 them the opportunity under election -- I believe it's  
10 Election Code Chapter 20 that identifies us as an agency  
11 to offer voter registration application.

12 Q. (BY MS. CHAMPION) So it's because you're  
13 required to send the form?

14 MS. MACKIN: Objection, form.

15 You can answer.

16 A. We are required to offer that opportunity,  
17 yes.

18 Q. (BY MS. CHAMPION) Okay. I would like to mark  
19 this form titled: Texas Driver License and ID Card  
20 Renewal Notice as 3M.

21 (Exhibit 3M marked.)

22 Q. (BY MS. CHAMPION) What is this form?

23 A. This form is the -- is a blank form of the  
24 application that is mailed to individuals when they are  
25 eligible to renew by mail.

1 Q. So is this renewal notice something that would  
2 be accompanied by the voter registration application  
3 that we looked at in Exhibit 3L?

4 A. Correct.

5 Q. When a customer receives a driver's license  
6 renewal notice, such as -- such as this, is it ever  
7 prefilled -- pre- -- are the fields ever pre-populated?

8 A. The -- the fields are pre-populated in a sense  
9 that there is name and address information in the  
10 upper -- in the blank portion in the upper left.  
11 There's also a scan line that's printed across the top  
12 that provides the customer's driver license information  
13 and name and expiration date. And then the information  
14 in the top right-hand corner where it says renewal fee  
15 type, et cetera, that's all pre-populated.

16 Q. So even though it's blank, as I look at this  
17 form now, when DPS sends it to customers, the fields  
18 you've just identified would actually have information  
19 in them already?

20 A. Correct.

21 Q. Let's see, does this form have a voter  
22 registration question on it?

23 A. No, ma'am, it does not because it has the --  
24 the voter registration application form in the packet.

25 Q. Does DPS refer to this form as DR-32?

1 A. Yes.

2 Q. And is it the same language that is on  
3 in-person driver license change of address forms?

4 A. The in-person address and change of address  
5 and renewal are the same form.

6 Q. Okay. Okay. Thank you.

7 For the sake of time, I'm just going to  
8 go through the rest of these sort of quickly. Can I  
9 please mark the document titled: Application for  
10 Renewal/Replacement of a Texas Driver License or  
11 Identification Card as 30?

12 (Exhibit 30 marked.)

13 Q. (BY MS. CHAMPION) Is there a revision date on  
14 this document?

15 A. There is. Lower right -- or lower left,  
16 sorry.

17 Q. And what is that revision date?

18 A. February 2017.

19 Q. So this was recently revised?

20 A. Yes.

21 Q. Okay.

22 A. Do you need to know what the change is or...

23 Q. Yes.

24 A. Okay. The change -- most of these documents  
25 have the 2/17. And this was because the Glenda Dawson

1 Donate Life went from a dollar to a variable amount.

2 Q. Thank you.

3 I would like to mark the document titled:  
4 Application for Texas Driver License or Identification  
5 Card as Exhibit 3P.

6 (Exhibit 3P marked.)

7 Q. (BY MS. CHAMPION) Was this also revised  
8 February 2017?

9 A. Yes.

10 Q. And is the Glenda Dawson Life field the only  
11 field that was revised?

12 A. Yes.

13 Q. I would like to mark the document titled:  
14 Application for Change of Address on Valid Texas Driver  
15 License and Identification Card, Exhibit 3Q.

16 (Exhibit 3Q marked.)

17 Q. (BY MS. CHAMPION) Was this document also  
18 revised February 2017?

19 A. Yes.

20 Q. And was the Glenda Dawson Donate Life Texas  
21 field the only one that was changed?

22 A. Yes.

23 Q. May I mark a document titled: Application for  
24 Change of Address on Valid Texas Driver License and  
25 Identification Card 3R?

(Exhibit 3R marked.)

Q. (BY MS. CHAMPION) When was this document last revised?

A. This is the prior version of -- it was updated in 3/16. And that's when the question of, if you're a U.S. citizen, do you want to register to vote was added to the change of address form -- the mail change of address form.

Q. So 3R is the previous version of 3Q?

A. Correct.

Q. I would like to mark -- well, it looks like a series of PowerPoints for driver license renewal and change -- no, not PowerPoints, I'm sorry. I would like to mark this document 3S. I'll ask you what it is.

(Exhibit 3S marked.)

A. Okay. So 3S, this is -- just to make sure we're on the same one, does it have the Glenda Dawson changes deployed 2016 here?

Q. Yes.

A. Okay. So this is the screenshots showing the change, again, in the Glenda Dawson from the one dollar to the variable amount.

Q. Is that the only change reflected in these screenshots?

A. Yes.

1           Q.     I would like to mark these series of -- of  
2     pages about the -- let's see, it looks like renewal  
3     driver license test is one of the topics.

4                     MS. CHAMPION: Can I mark that as 3T,  
5     please?

6                     (Exhibit 3T marked.)

7           A.     These are the screenshots that were a result  
8     of the test when the change was made in early 2016 to  
9     the voter registration question, the language, and the  
10    required field. So this is the prior version. Glenda  
11    Dawson's most current and this was the screenshots prior  
12    to (indicating).

13          Q.     (BY MS. CHAMPION) When you say "the test,"  
14    what do you mean?

15          A.     This was their test document that they did  
16    after the deployment of the new code.

17          Q.     When you say test, was it ever live? Was this  
18    ever the actual screenshots that customers could  
19    interact with online?

20          A.     This is the screenshots that appeared after  
21    the deployment of the code in January.

22                     MS. CHAMPION: I would like to mark this  
23    document titled: Texas Department of Public Safety  
24    Driver's License/ID Card Renewal IVR Script as 3U.

25                     MS. MACKIN: Excuse me. I'll also note



1 that this document was marked confidential in the  
2 ordinary course of business, and I would also like to  
3 mark it confidential for purposes of this litigation or  
4 designate it as confidential, excuse me.

5 (Exhibit 3U marked.)

6 Q. (BY MS. CHAMPION) What is this document?

7 A. This is the script language for -- that is in  
8 place for the IVR, telephone renewals.

9 Q. We'll come back to that. I would like to mark  
10 this document titled: Driver's License Renewal Receipt  
11 and Temporary License as 3V.

12 (Exhibit 3V marked.)

13 Q. (BY MS. CHAMPION) What is this document?

14 A. This is a printed receipt from when you do an  
15 online address change or renewal transaction.

16 Q. Thank you.

17 I would like to mark this document  
18 titled: Texas Department of Public Safety Temporary  
19 Identification Card as 3W.

20 (Exhibit 3W marked.)

21 Q. (BY MS. CHAMPION) What is this?

22 A. This is a transaction receipt from an  
23 in-office transaction.

24 Q. I would like to mark this document, which is a  
25 letter dated July 22nd, 2016 as 3X.

(Exhibit 3X marked.)

**Q. (BY MS. CHAMPION) What is this document?**

A. This is a copy of the letter and plan that was given to me when I was named coordinator.

**Q. And finally I would like to titl- -- mark this document titled: 2016 Original, Renewal, Duplicate and Modification Issuances for Driver License and IDs as Exhibit 3Y.**

(Exhibit 3Y marked.)

**Q. (BY MS. CHAMPION) What is this document?**

A. This is just some statistics that I thought I might need.

**Q. Statistics regarding what?**

A. Regarding the number of issuances that are processed each year and how they are processed, the manner of process; the voter portal information from the 2016 presidential election; and then the bottom numbers are just average file sizes of the daily updates, the weekly update, and the voter extract file.

**Q. Okay. That -- is that all the documents you brought with you today?**

A. Yes.

**Q. Okay.**

MS. CHAMPION: Do you want to take a break?

1 customer sends in a change of address form via the mail?

2 A. So as of March 16th, the form was revised to  
3 allow the customer to indicate that they want to do a  
4 change -- a voter registration application. And when  
5 that form is processed, that information is input into  
6 the driver license system. And the voter registration  
7 information is updated if they say yes.

8 Q. I think I skipped an item, via telephone. We  
9 were speaking about renewals. Is the process any  
10 different when a change of address is requested via  
11 telephone?

12 A. You cannot do a change of address application.  
13 And just to clarify, so when you do a renewal, you can  
14 change your address, but there's a separate transaction  
15 that you're not renewing. You're just changing your  
16 address, and that's not allowed on the IVR. It's not  
17 provided for.

18 Q. Why not?

19 A. It's just the volume of those is extremely  
20 low, and they have -- we've just never increased that  
21 opportunity. They can do it online, through the mail,  
22 or in the office.

23 Q. How does DPS carry out its voter registration  
24 duties when a customer goes online to renew a driver  
25 license?

1           A.     So as they go through the process, the  
2 screens, they're given the opportunity to say -- state  
3 that they would like to register or submit a voter  
4 registration application. And then on the receipt page,  
5 they're provided a link to the Secretary of State where  
6 the packet is downloaded, completed, and mailed.

7           **Q.     Is this process the same when a customer goes**  
8 **online to change their driver license address?**

9           A.     Yes, it is.

10          **Q.     What steps has DPS taken to ensure that**  
11 **customers are aware of voter registration opportunities**  
12 **through DPS?**

13          A.     So -- I mean, the information is on the form.  
14 The question is on each form. As far as the online, it  
15 -- it provides the question and then also on the receipt  
16 page, calls attention to the fact that they need to  
17 download that application.

18          **Q.     Other than having the questions about voter**  
19 **registration on the form or online, has DPS done**  
20 **anything else to increase customer awareness that they**  
21 **can register to vote while completing driver license**  
22 **transactions?**

23                   MS. MACKIN: Objection, form.

24                   You can answer.

25          A.     As far as like designated information that's

Both the online renewal and change of address processes have the question related to voter registration, and then that process provides a link which takes them to Texas Secretary of State.

**Q. Why does DPS include a voter registration question during the online renewal and change of address portion?**

A. So it is part of the plan between the Secretary of State and Department of Public Safety in compliance with the voter registration question being combined as part of the application process for a driver license or ID.

**Q. You said it's part -- part of a plan. We touched on this earlier also, but who developed that plan?**

A. That plan was developed between the Department of Public Safety and Secretary of State.

**Q. And who at DPS and the Secretary of State was involved in deciding the way that the online question would -- would function?**

A. I would have to go back and see who the -- because the -- the original plan was developed in '94 for the office transactions and then modified when the mail renewal and online portions were added. I do not have the exact names of who was in that process. It

1 Q. Is there a voter registration question on the  
2 DR-32?

3 A. No.

4 Q. Has there ever been a voter registration  
5 question on any version of the DR-32?

6 MS. MACKIN: I'm going to just object to  
7 the extent that this is prior to January 1st, 2012, the  
8 topics that she's designated on here.

9 But besides that, you can answer.

10 A. To my knowledge, no, it's always -- we have  
11 always included a voter registration application form  
12 provided by the Secretary of State within the mail  
13 renewal packet.

14 Q. (BY MS. CHAMPION) If you look at the back of  
15 the form, at the top it says Registration Renewal Guide,  
16 Read Carefully. And there's a box that says, (as read):  
17 No waiting in line. Three easy ways to renew.

18 The first of those is Internet renewal.

19 A. Uh-huh.

20 Q. Does DPS want people to renew online rather  
21 than by mail?

22 A. If they're eligible, yes.

23 Q. Why?

24 A. It reduces the traffic within the office and  
25 reduces overall wait times.

1 Q. So you, as a representative of DPS, cannot --  
2 cannot answer why DPS now transmits all daily file  
3 updates to the Secretary of State; is that correct?

4 A. I can't tell you what Secretary of State does  
5 with the information, no. The -- I can't -- I -- I  
6 cannot tell you the exact reasons behind the  
7 establishment because there was no one available that  
8 could provide me that information.

9 Q. Does DPS send the Secretary of State these  
10 update files because the Secretary of State instructed  
11 DPS to do so?

12 MS. MACKIN: Objection, form.

13 And I'll also note that to the extent  
14 that this process was developed before 2012, it's  
15 outside the scope of the topics the witness is  
16 designated on under 30(b)(6).

17 A. So I mean it's an assumption that there was a  
18 discussion and that they wanted the data. We -- we  
19 wouldn't have just randomly decided to start sending  
20 them the data. There would have been discussions, and  
21 Secretary of State would have had a reason for wanting  
22 that data. I can't tell you what that reason is. That  
23 would be Secretary of State.

24 Q. (BY MS. CHAMPION) So -- okay. That was the  
25 daily update file. Does DPS then transmit all valid

1 change of address information it obtains from customers  
2 to the Secretary of State in the voter registration  
3 extract file?

4 A. The voter registration extract file is only --  
5 or the only records obtained in that file are customers  
6 who applied in person for any type of transaction or  
7 through the mail change of address DL-64 process that  
8 indicated that they would like that to serve as a voter  
9 registration application.

10 Q. So you've identified in-person and mail  
11 transactions. So is it true that DPS does not transmit  
12 change of address information it obtains from customers  
13 to the Secretary of State in the voter -- I'm sorry --  
14 in the secr- -- to the Secretary of State that it  
15 collects from online transactions?

16 A. So in the voter registration extract file --

17 Q. Yeah.

18 A. -- the online transactions are not included in  
19 that process.

20 Q. And why aren't they included?

21 A. Again, that was determined by discussions  
22 through -- between the Department and Secretary of State  
23 when the -- the processes were being established.

24 Q. You said the process was established when?

25 A. Online was established in two -- either --



1 the coordinator.

2 MS. CHAMPION: I'm going to ask that this  
3 document be marked Exhibit 6.

4 (Exhibit 6 marked.)

5 Q. (BY MS. CHAMPION) This is a letter dated  
6 September 9th, 2015. Are you familiar with this letter?

7 A. Yes.

8 Q. What is it?

9 A. It is a letter that was sent -- excuse me --  
10 to the Director of Elections in September naming Tony  
11 Rodriguez and Bob Myers as the persons responsible for  
12 coordination of voter registration program.

13 Q. And was it sent to Keith Ingram from Joe  
14 Peters?

15 A. Yes.

16 Q. Why did Joe Peters send this to Keith Ingram?

17 A. I believe it was as a result of discussions  
18 with general counsel.

19 Q. Did DPS send the Secretary of State any  
20 letters similar to this before September 2015?

21 A. Not that I was provided with, no.

22 Q. Can you look at the second paragraph?

23 A. Okay.

24 Q. And read the first sentence, please?

25 A. (As read): For the past several years, the

1           Q.    Is that answer the same then for any  
2           complaints related to the online change of address or  
3           renewal process through DPS?

4           A.    Yes.

5                   MS. CHAMPION: Can I please mark this as  
6           -- document as Exhibit 8?

7                   (Exhibit 8 marked.)

8           Q.    (BY MS. CHAMPION) Do you recognize this  
9           document? Are you familiar with it?

10          A.    Yes, I believe this is from the instructions  
11          for the voter portal.

12          Q.    And that's what we were calling the Secretary  
13          of State Web portal?

14          A.    Yes.

15          Q.    Are you referencing something to help you?

16          A.    Well, yeah, I was looking to see if this was  
17          from the current document or not. I believe it may be a  
18          different version than what I have.

19          Q.    Is there a more current version that you're  
20          familiar with?

21          A.    It is the Texas Secretary of State voter  
22          portal inquiry --

23          Q.    Okay.

24          A.    -- that was presented in the documents.

25          Q.    When did all DPS offices begin using the Web

1           A.     This is just for that time period that's noted  
2     above the 10/20/2016 through 11/21/2016.

3           **Q.     Can you just walk me through some of these**  
4     **fields? What is -- what is the field with over 5**  
5     **million? What does that mean?**

6           A.     Okay. Up at the very top?

7           **Q.     Uh-huh.**

8           A.     So this is based off the 2016 original renewal  
9     duplicate modification issuances for DL and ID. So in  
10    2016 we issued -- there were five hun- -- 5,448,223  
11    transactions completed in the driver license offices.  
12    In the -- on TOL Web there was 1,448,941. TOL/IVR,  
13    there was 64,130. Through the mail, there was 85,231.

14   For a total of 7,046,525 transactions for the -- 2016.

15           **Q.     In the chart underneath that, does that**  
16     **reflect how many inquiries were researched through the**  
17     **Web portal?**

18           A.     Correct. The middle portion where it says  
19    voter porter election -- voter portal election 2016  
20    cumulative details, that is the portal inquiries that  
21    they processed during that time period of October 20th  
22    through November 21st of 2016.

23           **Q.     Okay. So that's about a month's time,**  
24     **correct?**

25           A.     Correct.

1 MS. MACKIN: Objection, form.

2 A. Telephone transactions are handled in the same  
3 manner as an online transaction. There is an  
4 authentication process they go through. So you're  
5 assuming that you're dealing with the customer  
6 themselves. And the statute requires a signature on an  
7 original application, and that's -- the alternative  
8 methods of renewal and change of address are only  
9 available to established customers who have already  
10 provided identity, residency, lawful presence  
11 information, as well as a signature on their  
12 application.

13 Q. (BY MS. CHAMPION) When a customer changes  
14 their address over the telephone, does the signature  
15 that DPS already have on file stay on the physical face  
16 of the driver license?

17 A. Again, the only transaction type that can be  
18 done through IVR is a renewal.

19 Q. Sorry. So when a customer renews a driver's  
20 license on -- over the telephone, does DPS use the  
21 signature that was previously on file to -- to put on  
22 the customer's renewed driver's license?

23 A. Yes.

24 Q. If DPS were directed to do so, does it have  
25 the ability to send the Secretary of State the

1 electronic signatures of customers who renew or change  
2 their address online?

3 A. So if the Secretary of State determined that  
4 that was acceptable under the statutes and everything  
5 that they process under and they directed us, yes, it  
6 could be accomplished. But it would take conversation  
7 between Secretary of State and Department of Public  
8 Safety and Texas NIC.

9 Q. Has DPS ever considered taking that action?

10 A. At this point we have not been -- we have not  
11 considered that action because those -- we have never  
12 been directed by Secretary of State or advised that  
13 that's acceptable.

14 Q. Has DPS ever consulted the Secretary of State  
15 about whether it should send the electronic signatures  
16 of customers who complete renewals or change of  
17 addresses online --

18 MS. MACKIN: Objection, form.

19 Q. (BY MS. CHAMPION) -- to the Secretary of  
20 State?

21 MS. MACKIN: Objection, form.

22 A. Again, the only time I'm aware that that  
23 became -- or was a small topic of conversation was  
24 during the DL reengineering project when the decision  
25 was made to electronically transfer the voter

1           **Q.     Does DPS encourage customer service**  
2 **representatives to tell customers they could have**  
3 **completed transactions online?**

4           A.     Well, that is -- I mean, that's a process that  
5 is encouraged across the board, again, because of the  
6 lines and the wait times. So it is encouraged across  
7 the board. It's not a primary function that they're  
8 trained on.

9           **Q.     Do DPS communications promote online renewal**  
10 **and change of address as opposed to promoting in-person**  
11 **or mail transactions?**

12                     MS. MACKIN: Objection, form.

13           A.     Yes.

14           **Q.     (BY MS. CHAMPION)   How so?**

15           A.     Any -- on our Web page it encourages people to  
16 go online to see if they're eligible before going into a  
17 driver license. It gives them the basic requirements  
18 for online, and then encourages them to use that process  
19 instead of going in if they're eligible.

20           **Q.     And on driver's license forms themselves, is**  
21 **there also a promotion for online renewals and change of**  
22 **address being an option?**

23           A.     DR-32 has that information. Because if  
24 they're eligible to renew by mail, then they're eligible  
25 to renew online.

1 was made not to modify the -- the online voter  
2 registration part?

3 A. It is -- it is my understanding that the  
4 decision was made based on requirements for voter  
5 registration, and the requirements required -- it makes  
6 it sound funny -- the requirements of having a signature  
7 at the time of application.

8 Q. So -- so drilling down from that, you said  
9 based on the requirements for voter registration. And  
10 particularly, you're saying based on the requirement for  
11 a signature for the voter --

12 A. Right.

13 Q. -- registration; is that --

14 A. Right. The -- the information provided is  
15 that Texas statute does not allow for online voter --  
16 voter registration. It requires a signature with the  
17 application. And for the online process, we are not  
18 collecting a new signature as part of that process.

19 Q. I want to see if I can under- -- understand  
20 this fully. So the -- the signature that is sent for an  
21 in-person transaction where someone answers "yes" to the  
22 voter registration question and -- and similarly when  
23 someone changes their address -- excuse me -- address  
24 via the mail, the signature that's sent for both of  
25 those voter registration applications, that's the

1 electronic signature; is that right?

2 A. That is correct.

3 Q. And that's sent to the Secretary of State?

4 A. That is correct.

5 Q. Okay. The ink signature is never sent to the  
6 Secretary of State, correct?

7 A. That is correct.

8 Q. Okay. If you'll look over the Use Case there  
9 you have in front of you, staying on the same exhibit,  
10 would you confirm for me that the information regarding  
11 the -- well, let me rephrase that. The information  
12 that's provided by a customer in an online transaction  
13 with DPS -- you'll agree with me that there's  
14 information provided by the customer in those  
15 transactions?

16 A. Correct.

17 Q. Okay. The -- looking through the use space,  
18 is the only information that's provided by the customer  
19 that's not transferred from Texas.gov to DLS the answer  
20 to the voter registration question?

21 A. That's correct.

22 Q. Turn to me -- turn with me -- excuse me -- to  
23 page 9 where it talks about business rules.

24 A. Okay.

25 Q. Do you see that?



MS. STEVENS: We're going to take a  
three-minute break.

THE VIDEOGRAPHER: Going off the record  
at 5:45 p.m.

(Recess held, 5:45 p.m. to 5:52 p.m.)

THE VIDEOGRAPHER: We are back on the  
record at 5:52 p.m.

EXAMINATION

BY MS. SILHAN:

Q. Hi, Ms. Gipson.

A. Hello.

Q. I'm Caitlyn Silhan on behalf of Benjamin  
Hernandez. We've met before. I have just three  
questions for you now. So you just testified that DPS  
decided not to modify the voter registration file with  
respect to online transactions at one point, at least in  
part, because Texas law requires a signature at the time  
of a voter registration application; is that correct?

MS. MACKIN: Objection, form.

A. Correct.

Q. (BY MS. SILHAN) Does Texas law require that  
DPS collect a signature for a change of address  
transaction?

MS. MACKIN: Objection, form.

A. So Texas law does not require it on a change

1 of address application processed online because the  
2 signature had been previously captured.

3 Q. (BY MS. SILHAN) Okay. So if a customer  
4 completes a change of address form online, that is valid  
5 for driver license purposes? It changes their address  
6 for driver license purposes; is that correct?

7 A. Correct.

8 MS. SILHAN: That is all I have, believe  
9 it or not. So I'll pass the witness.

10 MS. MACKIN: Thank you. Before we get  
11 started, just on the record, I would like to request a  
12 read and sign of this deposition transcript.

13 And I just have one exhibit.

14 (Exhibit D1 marked.)

15 EXAMINATION

16 BY MS. MACKIN:

17 Q. Ms. Gipson, I'm handing you what's been marked  
18 Defendant's Exhibit 1. Do you recognize this document?

19 A. Yes.

20 Q. What is it?

21 A. This is the Amended Notice No. 3 requesting  
22 the 30(b)(6) deposition.

23 Q. And that's the deposition that's taking place  
24 today, correct?

25 A. Correct.

1 Q. And what date is on this notice?

2 A. As far as the date of the deposition?

3 Q. Yes.

4 A. Sorry. March 6th at 9:30 a.m.

5 Q. Did you appear here at the Attorney General's  
6 Office yesterday at 9:30 a.m. to sit for this  
7 deposition?

8 A. Yes, ma'am.

9 Q. And what time did you arrive?

10 A. Shortly after 9 a.m.

11 Q. And how long were you here?

12 A. Until around 11:00 a.m.

13 Q. And did the deposition take place?

14 A. No, it did not.

15 Q. And was that because no court reporter or  
16 videographer was scheduled?

17 A. That's correct.

18 Q. Okay. Thank you.

19 Now, I'm going to just go back to a  
20 couple of questions that you were asked earlier today.

21 You were asked in several ways about how individuals who  
22 transact with the Department of Public Safety online are  
23 given the opportunity to register to vote. Do you  
24 remember those questions?

25 A. Yes.

1           **Q.     Can you clarify how that works?**

2           A.     So when the customer logs into the online  
3     system, they're authorized based on four pieces of  
4     identity information. They then go through several  
5     screens where they identify if they want to -- if they  
6     need to update their address, organ donor, VAF and  
7     veteran assistance fund donations, and voter  
8     registration. That's in the services options. And if  
9     they -- as they progress on, if they select "yes" to the  
10    voter registration, it appears again on the review page  
11    along with the options that they selected for organ  
12    donor, Glenda Dawson donation, VAF donation, and  
13    veteran's assistance fund donation.

14                   And once they get past that screen, they  
15    accept all of those -- the changes or the information  
16    that was inputted, they're put to a receipt page. If  
17    they selected "yes" to the register to vote, there is a  
18    link that's provided that takes them to the Secretary of  
19    State website where they can download -- they have the  
20    opportunity to download and sign and send in a  
21    registration application. And then they're also given  
22    the option to print the receipt page.

23           **Q.     And that registration application, is it your**  
24    **understanding that that's the -- that is the application**  
25    **approved by the Secretary of State's office?**

1 A. Yes, it is the -- the one from their website.

2 Q. Okay. And the information, just to clarify,  
3 that is verified before the customer may begin the  
4 transaction -- those four pieces of information that you  
5 just talked about -- do those -- does DPS do anything  
6 with those pieces of information to verify whether an  
7 individual is eligible to register to vote or update  
8 voter registration information?

9 A. No. Those pieces are not used for that  
10 purpose.

11 Q. The pieces of information are simply used to  
12 verify that the individual is eligible to transact with  
13 DPS online?

14 A. Correct.

15 Q. And to verify their identity?

16 A. Correct.

17 Q. Okay. Thank you.

18 You were asked a couple of questions  
19 about how DPS publicizes the availability of certain  
20 transactions online, and you testified that DPS wants to  
21 reduce wait times and in-office traffic. Do you recall  
22 that testimony?

23 A. Yes.

24 Q. Why does DPS want to reduce wait times and  
25 in-office traffic in its field offices?

1 of the Web page.

2 Q. Okay.

3 A. So they are in the process of adding that  
4 language.

5 Q. Okay. Ms. Mackin also asked you about the  
6 receipt page for online transactions; is that correct?  
7 Do you recall discussing the receipt page here today?

8 A. Right.

9 Q. Okay. So I understand there is some  
10 information about voter registration with a link to the  
11 Secretary of State's website on the receipt page,  
12 correct?

13 A. Correct.

14 Q. Now, does the receipt page say anything about  
15 changing addresses for voter registration purposes?

16 A. No, it does not.

17 Q. Okay. You mentioned there were four pieces of  
18 information that DPS verifies online to determine that  
19 maybe the person filling out the form is who they say  
20 they are; is that right?

21 A. Correct.

22 Q. Can you just remind me what those four pieces  
23 of information are?

24 A. Okay. They're in the process authentication  
25 request.

1 Q. Okay.

2 A. And it is listed on page 1.

3 Q. Okay.

4 A. It's the DL/ID number, the audit number, the  
5 last four digits of the social, and the date of birth.

6 Q. Now, in terms of -- of information that's only  
7 requested online and maybe not by other forms -- I'm  
8 going to go through this. So for a driver license  
9 identification number, that would be requested on a  
10 paper form as well; is that correct?

11 A. Correct.

12 Q. Okay. What about an audit number, is that  
13 requested on paper forms?

14 A. No, it's not.

15 Q. Okay. What about the last four numbers of a  
16 social security number, is that requested by DPS on  
17 paper forms?

18 A. The social security number is requested.

19 Q. What about the date of birth, is that  
20 requested?

21 A. It is.

22 Q. So the only bit of information that a customer  
23 provides, in addition to information the customer  
24 provides on paper forms, for purposes of online  
25 transactions, is the audit number on the face of a

1 voter registration extract file, but it would be  
2 included in the daily update file.

3 Q. Okay. So then the updated address information  
4 would make its way to the Secretary of State in the  
5 updated address file?

6 A. Correct.

7 Q. I'm sorry, in the daily update file?

8 A. Correct.

9 Q. And there's not a way to opt out aside from --  
10 from checking "no" in that box; is that correct? Well,  
11 no, let me reask that question. Actually, let me not  
12 ask that question. I'll just withdraw it.

13 MS. SILHAN: That's all I have for you.

14 THE WITNESS: Okay.

15 MS. MACKIN: We'll reserve our questions  
16 for the time of trial.

17 THE VIDEOGRAPHER: This will conclude the  
18 deposition --

19 THE WITNESS: Can I say one thing really  
20 quick?

21 THE VIDEOGRAPHER: Oh, I'm sorry.

22 THE WITNESS: So I did locate information  
23 regarding this form. Do y'all --

24 Q. (BY MS. SILHAN) Okay. This is Exhibit 9?

25 A. Do y'all want that update?



1           **Q.     Yes.**

2           A.     Okay. So this was created by an assistant  
3 manager for -- in preparation for legislation, and it is  
4 similar to what I created with just numbers. These were  
5 numbers that had been requested in previous sessions,  
6 and they just gathered data in order to be ready in case  
7 they got a spur-of-the-moment request so they could  
8 provide numbers. The reason that -- that they provided  
9 it was because it had voter registration numbers on it.

10          **Q.     Okay. You said created by an assistant**  
11 **manager, do you know who that was?**

12          A.     I do. Abed Nader, A-B-E-D, N-A-D-E-R.

13          **Q.     Do you know when that was created?**

14          A.     They did not give me the date. Based on this,  
15 I would say it was probably -- since it gives FY15 -- I  
16 would say they probably created it sometime in '16 in  
17 preparation for the FY17 session.

18          **Q.     Okay. But as far as -- as you, the**  
19 **department, know, this is not any kind of regularly kept**  
20 **report?**

21          A.     No, it is not a regular report. Many of the  
22 areas, in anticipation of a session, try and gather the  
23 number because it requires IT runs and things like that.  
24 So many of the sections create these types of  
25 informational sheets that they can use on a moment's

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JARROD STRINGER, ET AL., \*  
\*  
Plaintiffs, \*  
\*  
VS. \* CIVIL ACTION  
\*  
ROLANDO PABLOS, IN HIS \* NO.: 5:16-cv-00257-OLG  
\*  
OFFICIAL CAPACITY AS THE \*  
\*  
TEXAS SECRETARY OF STATE \*  
\*  
and STEVEN C. MCCRAW, IN \*  
\*  
HIS OFFICIAL CAPACITY AS \*  
\*  
THE DIRECTOR OF THE TEXAS \*  
\*  
DEPARTMENT OF PUBLIC \*  
\*  
SAFETY, \*  
\*  
Defendants. \*

REPORTER'S CERTIFICATION  
DEPOSITION OF SHERI GIPSON  
MARCH 7TH, 2017

I, Tammy Staggs, Certified Shorthand Reporter  
in and for the State of Texas, hereby certify to the  
following:

That the witness, SHERI GIPSON, was duly sworn  
by the officer and that the transcript of the oral  
deposition is a true record of the testimony given by  
the witness;

That the original deposition was delivered to  
Ms. Caitlyn Silhan.

1 That a copy of this certificate was served on  
2 all parties and/or the witness shown herein on  
3 \_\_\_\_\_, 20\_\_\_\_.

4 I further certify pursuant to FRCP Rule  
5 30(f)(1) that the signature of the deponent:

6 \_X\_ was requested by the deponent or a  
7 party before the completion of the deposition and that  
8 the signature is to be before any notary public and  
9 returned within 30 days (or \_\_\_\_ days per agreement of  
10 counsel) from date of receipt of the transcript. If  
11 returned, the attached Changes and Signature Page  
12 contains any changes and the reasons therefore:

13 \_\_\_\_ was not requested by the deponent or a  
14 party before the completion of the deposition.

15 That the amount of time used by each party at  
16 the deposition is as follows:

17 Ms. Cassandra Champion - (5:37)

18 Ms. Beth Stevens - (0:23)

19 Ms. Caitlyn Elizabeth Silhan - (0:15)

20 Ms. Anna M. Mackin - (0:08)

21 Mr. Esteban Soto - (0:00)

22 Ms. Kathleen T. Murphy - (0:00)

1 That pursuant to information given to the  
2 deposition officer at the time said testimony was taken,  
3 the following includes counsel for all parties of  
4 record:

5 FOR THE PLAINTIFF, JARROD STRINGER:  
6 Cassandra Champion, Esq.

7  
8 FOR THE PLAINTIFF, JOHN FRITZ:  
9 Beth Stevens, Esq.

10  
11 FOR THE PLAINTIFF, BENJAMIN  
12 HERNANDEZ:  
13 Caitlyn Elizabeth Silhan, Esq.

14  
15 FOR THE DEFENDANTS:  
16 Anna M. Mackin, Esq.  
17 Esteban Soto, Esq.  
18 Kathleen T. Murphy, Esq.

19  
20  
21  
22  
23 That \$\_\_\_\_\_ is the deposition officer's  
24 charges to the Plaintiffs for preparing the original  
25 deposition transcript and any copies of exhibits;

1 I further certify that I am neither counsel  
2 for, related to, nor employed by any of the parties or  
3 attorneys in the action in which this proceeding was  
4 taken, and further that I am not financially or  
5 otherwise interested in the outcome of the action.

6 Certified to by me this \_\_\_\_\_ day of

7 \_\_\_\_\_, 20\_\_\_\_.

8   
9

10 \_\_\_\_\_  
11 Tammy Lea Staggs  
12 CSR 7496  
13 Expiration Date: 12/31/2017  
14 Firm No. Dallas: 69  
15 1.888.656.DEPO  
16  
17  
18  
19  
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23  
24  
25

COUNTY OF \_\_\_\_\_)

STATE OF TEXAS)

I hereby certify that the witness was notified  
on \_\_\_\_\_ that the witness has 30 days  
or (\_\_\_\_ days per agreement of counsel) after being  
notified by the officer that the transcript is available  
for review by the witness and if there are changes in  
the form or substance to be made, then the witness shall  
sign a statement reciting such changes and the reasons  
given by the witness for making them;

That the witness' signature was/was not  
returned as of \_\_\_\_\_, 20\_\_\_\_.

Subscribed and sworn to on this, the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Tammy Lea Staggs  
CSR 7496  
Expiration Date: 12/31/2017  
Firm No. Dallas: 69  
1.888.656.DEPO

JARROD STRINGER, et al., )  
)  
Plaintiffs, )  
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vs. ) CIVIL NO. 5:16-cv-00257  
)  
ROLANDO PABLOS, IN HIS )  
OFFICIAL CAPACITY AS THE )  
TEXAS SECRETARY OF STATE, )  
AND STEVEN C. McCRAW, IN )  
HIS OFFICIAL CAPACITY AS )  
THE DIRECTOR OF THE TEXAS )  
DEPARTMENT OF PUBLIC )  
SAFETY, )  
)  
Defendants. )

EITAN HERSH

DEPOSITION OF EITAN HERSH, produced as a witness at the instance of the Defendants, and duly sworn, was taken in the above-styled and numbered cause on Tuesday, May 23, 2017, from 9:00 a.m. to 1:49 p.m., before Debbie D. Cunningham, CSR, in and for the State of Texas, reported via Machine Shorthand at of Office of the Attorney General of Texas, 300 West 15th Street, 9th Floor, Austin, Texas 78701, pursuant to the Federal Rules of Civil Procedure.

C-10

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INDEX

APPEARANCES	2
EXAMINATION OF EITAN HERSH:	
BY MR. SOTO	4
REPORTER'S CERTIFICATION	138

EXHIBIT INDEX

Exhibit Number	Description	Page
Exhibit 1	Deposition Notice	4
Exhibit 2	LexisNexis document	14
Exhibit 3	Curriculum Vitae	19
Exhibit 4	4/15/17 Professor Eitan D. Hersh expert report entitled Report on Updating Voter Registration Records with Data from Online Motor Vehicle Transactions	36
Exhibit 5	4/28/17 Dr. Eitan D. Hersh invoice addressed to Attorney Peter Kraus	38
Exhibit 6	Texas Election Code, Chapter 20	58
Exhibit 7	NVRA excerpt	53
Exhibit 8	Plaintiffs' Original Complaint	96
Exhibit 9	Texas Election Code, Chapter 15	106

1 their voter registration information when they change  
2 address or renew a license online; and there is a  
3 disagreement between the State of Texas and the  
4 Plaintiffs about whether Texas ought to do that, as  
5 other states do, around Federal law.

6 **Q. And how did you become involved in this case?**

7 A. Someone who knew me and my work on voter  
8 registration connected me with the Plaintiffs.

9 **Q. When did you first learn about this case?**

10 A. I don't remember. Months ago definitely.

11 **Q. Months ago. Okay.**

12 **And can you summarize the opinions you've**  
13 **reached in this case?**

14 A. Sure. My goal is to try to help solve a  
15 mystery, which is: Why does Texas do what it does in  
16 this particular context? And there could be a number of  
17 reasons why Texas doesn't update or allow individuals to  
18 update their voter registration data when they perform a  
19 transaction online.

20 And my opinion is that there are no  
21 obvious substantial technical reasons why Texas does not  
22 do that or financial situations why Texas does not do  
23 that, but the -- what the decision boils down to, the  
24 mystery is solved, because it's not a technical or a  
25 financial barrier but an interpretation of the law. In

1 some ways I think my goal here or what I accomplished is  
2 helped to set aside what is a plausible but not relevant  
3 consideration from the more relevant considerations.

4 **Q. Do you know if the Defendants in this case**  
5 **have ever argued that there's a technological barrier to**  
6 **doing what the Plaintiffs asked us to do?**

7 A. Yes.

8 **Q. What's your basis for understanding that?**

9 A. So my understanding in an early report from, I  
10 believe, the Texas Election Director, there was a claim  
11 that Texas didn't have the capacity to do this, that it  
12 would cost a lot of money to do it; and, to me, that  
13 sounded like, oh, there's a technical problem. There's  
14 a technical reason.

15 **Q. I understand that may be a financial reason,**  
16 **but you inferred from that -- who's the Texas Election**  
17 **Director?**

18 A. I believe Mr. Ingram.

19 **Q. Mr. Ingram. And he works for DPS; is that**  
20 **right?**

21 A. I believe he works for the Secretary of State.

22 **Q. I'm sorry. The Secretary of State.**

23 **And Mr. Ingram has testified or stated,**  
24 **you're asserting, that there's financial reasons or**  
25 **financial costs associated with this, correct?**

1 looking for information, data, depositions that could  
2 help solve this puzzle of what the justification for  
3 Texas' unusual behavior here is; and so it was an  
4 over-time development, learning, to reach this  
5 conclusion.

6 **Q. So you authored this report on April 15th;**  
7 **that's correct, right.**

8 A. I think I filed it with the court, yeah, over  
9 the previous few weeks.

10 **Q. And it was finalized on April 15th.**

11 A. Right.

12 **Q. I'm just trying to get a sense of how long**  
13 **before that you actually reached your conclusions. Was**  
14 **it in March, February, January? Do you have an**  
15 **estimate, or do you recall what month it was that you**  
16 **reached the conclusions?**

17 A. No. I would guess it was, you know, a  
18 slow-and-steady process of research; and that research  
19 in this case was mostly reviewing the depositions. So  
20 the picture became clearer over time.

21 **Q. So I think most of the depositions in this**  
22 **case happened this year. So would it be fair to say**  
23 **sometime this year?**

24 A. Yes, that makes sense.

25 **Q. So you said earlier -- and correct me if I'm**

1     **wrong -- that one of your opinions in this case is that**  
2     **there are no -- you might have said "significant" --**  
3     **barrier, financial barriers, to implementing the system**  
4     **that Plaintiffs are asking the Court to enjoin through a**  
5     **permanent injunction. Is that fair?**

6           A.     Yeah. In fact, you know, I think a common-  
7     sense interpretation of what Texas is doing now versus  
8     what this would look like would lead anyone to conclude  
9     it would be a massive cost savings.

10           **Q.     So what would this exactly look like?**

11           A.     This alternative procedure?

12           **Q.     Yes.**

13           A.     To briefly summarize it, Texas NIC, through  
14     its operation of Texas.gov, has the ability and in some  
15     ways does already track information about a voter who  
16     wants to update their registration information. They  
17     can share that information straightforwardly with DPS;  
18     and, in fact, their representative, who provided a  
19     deposition, said that is something that they could do.

20                     DPS could then transfer that information  
21     to the Secretary of State's office, just as it transmits  
22     information from in-person transactions or mail  
23     transactions. And, again, DPS has confirmed that if  
24     they had discussions, if that was the conclusion that  
25     they reached, they could easily do that; and then the

1 Secretary of State's Office would do what it does with  
2 the in-person transactions as well, providing them to  
3 Counties and updating individuals' voter registration  
4 records. In the process of doing that, of course, it  
5 would transmit, just as it does now for mail and in-  
6 person transactions, the previously-recorded digital  
7 signature of the voter because everyone who is renewing  
8 or changing their address online has a digital signature  
9 stored at the DPS.

10 **Q. So your opinion is if this system was**  
11 **implemented, Texas would -- I think you said it would**  
12 **achieve financial savings?**

13 A. Sure, statewide.

14 **Q. What's your estimate of the amount of**  
15 **financial savings Texas would achieve in the first five**  
16 **years of this implementation?**

17 A. Again, this actually brings back our initial  
18 conversation about why it would be important to get all  
19 the information about exactly how people are using  
20 online or not; but, you know, the analogy that I think  
21 of is: If I had a class that I was teaching at a  
22 university with a hundred thousand students -- hopefully  
23 I'll never have to face such a class -- and the students  
24 were filling out some kind of Scantron tests, what would  
25 be the cost savings of me, one by one, entering

1 information from that test versus running it through a  
2 Scantron machine. And suppose I already had a Scantron  
3 machine, which in this parallel example, Texas already  
4 has a Scantron machine, right?

5 So you would have to estimate the costs  
6 of what does it cost for Texas or the Counties to key in  
7 individually voter registration applications and the  
8 errors associated with that, dealing with those, and  
9 having the paper routine that they do now for people who  
10 transmit it online, do an online DPS transaction; and it  
11 then goes through this external, non-simultaneous  
12 process versus flow the information through the current  
13 daily export that DPS already does.

14 **Q. So you don't have that kind of detailed data**  
15 **to make an estimate over what the estimated financial**  
16 **savings would be over a certain period of time; is that**  
17 **correct?**

18 A. Right. With a few pieces of information, I  
19 think we could make that estimate. I don't have it  
20 right now.

21 **Q. At least with any degree of scientific**  
22 **certainty, right?**

23 A. That's right. I would want to know how many  
24 people are doing this, how long it takes a Texas  
25 elections clerk to key in information, how much they get

1 much I'd spend on each of those estimates; but I don't  
2 have to retrieve more information than common sense to  
3 know that it is cheaper for me to run those 100,000  
4 tests through a Scantron machine than for me to grade  
5 each one individually.

6 **Q. We're not talking about a Scantron machine**  
7 **here, correct?**

8 A. It's just an equivalent efficiency gain. It  
9 just seems like an obvious efficiency gain is what I'm  
10 trying to say.

11 **Q. Did anyone help you in coming to this**  
12 **conclusion in your report, any of your colleagues at**  
13 **Yale?**

14 A. No, I didn't talk to anyone about this.

15 **Q. Did you do any sort of calculations to come to**  
16 **this conclusion?**

17 A. No. Again, I kind of treat this as, like,  
18 kind of a conventional wisdom, common-knowledge  
19 expectation of what technology can do for efficiency.

20 **Q. Is there any particular source you relied on**  
21 **in coming to this conclusion other than your common**  
22 **sense and Mr. Ingram's deposition answers?**

23 A. I don't think so -- I will -- sorry. Let me  
24 amend that. You know, I think that as someone deeply  
25 knowledgeable about voter registration systems what is



1 really evident is that when you have people filling out  
2 voter registration applications by hand; then you have  
3 election officers keying in information one at a time,  
4 you generate errors, lots of errors. There's tons of  
5 small typo kind of errors on voter registration  
6 applications that cause problems down the line. They  
7 cause problems with people not being authenticated  
8 properly at the polls; and those problems are, in large  
9 part, the result of hand-keying work. And so I think  
10 one area of expertise that I have that brings to bear on  
11 this question is: How much of a problem is it when  
12 election officials are doing a lot of stuff by hand and  
13 how much better is it when they don't? And I think we  
14 see that here in this situation.

15 **Q. You testified earlier Texas is not the only**  
16 **state that has some form of driver's license renewal/**  
17 **change-of-address process online, correct?**

18 A. That's right.

19 **Q. There's 38 other states that have some form**  
20 **of online driver's license transactions, either**  
21 **currently -- currently implemented or are being**  
22 **implemented?**

23 A. That wasn't referring to driver's license  
24 transactions. That was referring to online voter  
25 registration.

1           Q.     So going to Paragraph 27, I want to talk about  
2     the portion -- I think it's in sentence three -- where  
3     you emphasize a previous-obtained digital signature; but  
4     am I correct when I say that that previously-obtained  
5     digital signature is not a physical signature given by  
6     the voter with the voter application?

7           A.     It's given by the voter under previous  
8     interaction that they've had with DPS.

9           Q.     Is it a physical signature?

10          A.     I think the way that you're describing  
11     physical signature, it is. It's a digitally-captured  
12     physical signature.

13                     And just to reiterate, this is the  
14     paragraph I made that revision about, the renewal versus  
15     change of address.

16          Q.     Fair enough.

17                     So going to 29, in the first sentence you  
18     reference a policy decision. I think I've already asked  
19     you about policy decisions. What do you mean by a  
20     policy decision in this context?

21          A.     In this context, I mean the policy -- hold on.  
22     Hold, please.

23                     In this case, I mean the policy decision  
24     to not accept -- to not automate this process between  
25     online DPS transactions and voter registration updates.

1 And I reference it relation to other policy decisions,  
2 for example, the policy decision about how Texas deals  
3 with these mail change-of-address forms, you know, when  
4 asked why the State does this; why does the State take  
5 the previously-recorded digital signature in case of the  
6 mail change-of-address forms. That was a policy  
7 decision. That was a decision that was made in  
8 conjunction with lawyers about how they were going to do  
9 that particular thing. And that's how Texas was  
10 interpreting what to do in that situation and in this  
11 other situation an online update Texas is interpreting  
12 what their doing as something else; and, you know, as  
13 I'm pointing out in this paragraph, different in this  
14 context than in other similar context.

15 **Q. So this will go back to your opening paragraph**  
16 **where you talk about policy decisions: Who specifically**  
17 **are you alleging is making that policy decision in**  
18 **relation to the allegations in this case?**

19 A. I would say the Department of Public Safety.  
20 In there depositions they say these are conversations  
21 that happened in conjunction with the Secretary of  
22 State, actually in conjunction with Texas NIC; but,  
23 primarily, it's the decision, it seems to me, of DPS as  
24 they've made other similar decisions about what to do in  
25 this context. For example, you know, when asked why

1 Motion to Dismiss.

2 Q. So let me see if I have this straight. You  
3 are relying on Judge Garcia's order to reach an -- are  
4 you relying on that language in any of your opinion?

5 A. I wouldn't say I'm relying on it, no. Let me  
6 just re-read what I wrote here.

7 Yes, I think that the quote from  
8 Judge Garcia is merely there to reinforce the view that  
9 I have come to independently about what the signature is  
10 for and what it's not for.

11 Q. Your last sentence reads, "Indeed, the Texas  
12 Secretary of State does not make use of an additional  
13 signature in the case of mail forms or in-county online  
14 forms."

15 Did I read that correctly?

16 A. Correct.

17 Q. And you don't provide a cite to this specific  
18 sentence. Can you tell me what the basis for this  
19 contention is?

20 A. Sure. In the mail forms, I believe it was --  
21 well, the question about these mail forms was asked in  
22 multiple depositions; but I think it was in  
23 Mr. Crawford's deposition where it was confirmed not  
24 only that old signatures, previously-recorded signatures  
25 are being transferred to the Secretary of State for

1 these mail forms. Not only that, but the Secretary of  
2 State's Office would not really be able to tell the  
3 difference between a digitally-recorded previous  
4 signature and one that was new.

5 **Q. And what is that contention based on?**

6 A. Again, Mr. Crawford's deposition.

7 **Q. Any other deposition or any other source?**

8 A. I think that's where it was most clearly  
9 articulated and asked and answered, but I do recall that  
10 this question about "what's going on with these mail  
11 forms" has come up in multiple depositions.

12 **Q. Any reason why you didn't provide a cite for**  
13 **that contention?**

14 A. I think only because I'd already provided a  
15 cite to it earlier in the report.

16 **Q. To that specific contention?**

17 A. I believe so, yeah.

18 **Q. Okay. Can you tell me where exactly it is?**

19 A. Sure.

20 So I would point you to the Paragraph 27,  
21 again, the end of page 12, "This process is described in  
22 depositions by DPS's John Crawford and Sheri Gipson,  
23 also acknowledged by Betsy Schonoff, the Voter  
24 Registration Manager, and the Secretary of State."

25 **Q. I'm sorry. What paragraph again?**

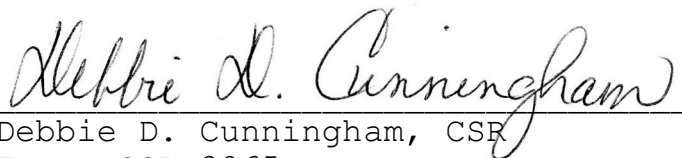
1 STATE OF TEXAS)

2 REPORTER'S CERTIFICATION

3 I, DEBBIE D. CUNNINGHAM, CSR, hereby  
4 certify that the witness was duly sworn and that this  
5 transcript is a true record of the testimony given by  
6 the witness.

7 I further certify that I am neither  
8 counsel for, related to, nor employed by any of the  
9 parties or attorneys in the action in which this  
10 proceeding was taken. Further, I am not a relative or  
11 employee of any attorney of record in this cause, nor am  
12 I financially or otherwise interested in the outcome of  
13 the action.

14 Subscribed and sworn to by me this day,  
15 June 7, 2017.

16  
17  
18 

19 Debbie D. Cunningham, CSR  
20 Texas CSR 2065  
21 Expiration: 12/31/2018  
22 INTEGRITY LEGAL SUPPORT SOLUTIONS  
23 3100 West Slaughter Lane, Suite 101  
24 Austin, Texas 78748  
25 www.integrity-texas.com  
512-320-8690; FIRM # 528

STRINGER: BRIAN KEITH INGRAM

Page 132

1 allows them to keep the original registration  
2 applications on an optical disc or other computer  
3 storage medium approved by the Secretary of State, so  
4 they can definitely keep them electronically.

5 Q. For the -- the forms that the Secretary of  
6 State's Office gets directly, do you just funnel those  
7 out to the proper voter registration agency, or do you  
8 send them to them via TEAM?

9 A. No, no. We handle the paper applications. We  
10 open them up, we sort them by county, and we mail them  
11 out to the counties.

12 Q. I want to get a little bit of a better  
13 understanding of TEAM. Is TEAM -- is TEAM also an  
14 application that's used for the elections themselves?

15 A. For the -- for the counties that use it as an  
16 online voter registration tool, they also use the  
17 election management component, yes.

18 Q. Okay. And that's the distinction between  
19 online counties and offline counties. Is that right?

20 A. That's right.

21 Q. Okay. Besides for the election itself and DPS  
22 applications coming through TEAM, what else does TEAM --  
23 what else is it used for?

24 A. What was the question again?

25 Q. Besides the election itself that -- so for the

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

JARROD STRINGER, NAYELI GOMEZ, §  
JOHN HARMS, MOVE TEXAS CIVIC FUND, §  
and LEAGUE OF WOMEN VOTERS OF TEXAS §

**Plaintiffs,**

**V.**

**RUTH HUGHS, IN HER OFFICIAL  
CAPACITY AS THE TEXAS SECRETARY OF  
STATE and STEVEN C. McCRAW, IN HIS  
OFFICIAL CAPACITY AS THE DIRECTOR OF  
THE TEXAS DEPARTMENT OF PUBLIC  
SAFETY**

**Defendants.**

[illegible]

Civil Action No. 5:16-cv-00257-OLG

### SUPPLEMENTAL DECLARATION OF GRACE CHIMENE

My name is Grace Chimene. I am over the age of 18 and capable of making this declaration. The facts stated herein are true and within my personal knowledge.

1. I am the President of the League of Women Voters of Texas.
2. Attached hereto as Exhibit 1 is a true and correct copy of slides from a public slideshow presentation given by the League of Women Voters of Texas Hays County titled "Ready To Vote."
3. I have personally verified that Emily Eby is a current member of the League of Women Voters of Texas.
4. Emily Eby moved from Travis County to Harris County in November of 2019.
5. Emily Eby used the DPS online system in December of 2019 to change the address on her driver's license.



6. Emily Eby's online driver's license change of address did not serve to register her to vote in Harris County.
7. Emily Eby remains unregistered to vote in Harris County as of today's date.
8. The League's voter registration, voter education, and get-out-the-vote activities increase significantly in weeks leading up to registration deadlines and voting periods in local, state, and federal elections. This includes the May 2020 Primary Runoff Election, where we expect there will be runoffs for federal races.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on January 28 2020.

A handwritten signature in black ink, appearing to read "Grace Chimene", written over a horizontal line.

Grace Chimene

# Ready To Vote

Hays County Election 2019



# Troubleshooting

1. Poll worker can't find your registration
2. System shows you already voted
3. In Texas there is no online voting!
4. There is no connection between DPS and voter registration!
5. What if you don't have the specified IDs
6. Your identification is in question
7. You don't remember how you wanted to vote
8. Go to [Vote411.org](http://Vote411.org) for complete information
  - at the time of early voting, put your address in
  - make your candidate or issue choice
  - print out your ballot and take it with you
9. Other issues???



**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

JARROD STRINGER, NAYELI GOMEZ,  
JOHN HARMS, MOVE TEXAS CIVIC FUND,  
and LEAGUE OF WOMEN VOTERS OF TEXAS

Plaintiffs,

v.

RUTH HUGHS, IN HER OFFICIAL  
CAPACITY AS THE TEXAS SECRETARY OF  
STATE and STEVEN C. McCRAW, IN HIS  
OFFICIAL CAPACITY AS THE DIRECTOR OF  
THE TEXAS DEPARTMENT OF PUBLIC  
SAFETY

Defendants.

Civil Action No. 5:16-cv-00257-OLG

**DECLARATION OF JOAQUIN GONZALEZ**

My name is Joaquin Gonzalez. I am over the age of 18 and capable of making this declaration.

The facts stated herein are true and within my personal knowledge.

1. I am a voting rights attorney at the Texas Civil Rights Project.
2. Attached hereto as Exhibit 1 is a true and correct copy of a Texas Public Information Act Request filed by the Texas Civil Rights project on December 13, 2019 with the Harris County Election Administrator's office, seeking, *inter alia*, "documents listing those individuals who cast provisional ballots in the 2018 general election including the name, address, precinct, the reason for the provisional vote, the method of voting, and whether the provisional vote was accepted or rejected.
3. Attached hereto as Exhibit 2 is a usb drive containing a true and correct copy of images of provisional ballot affidavits from provisional ballots cast in Harris County during

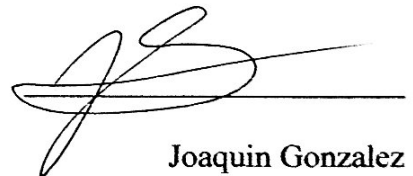
the 2018 General Election sent by the Harris County Election Administrator's Office in response to the Texas Public Information Act request described in ¶ 2 *supra*.

4. Attached hereto as Exhibit 3 is a usb drive containing a true and correct copy of a spreadsheet created by myself and other Texas Civil Rights Project employees that catalogs whether each provisional ballot cast in Harris County was accepted or rejected and the reason(s) why. The source of information for this spreadsheet was the provisional ballot records referred to in ¶ 3 *supra* and attached hereto as Exhibit 2. The spreadsheet reflects that there are 106 total unique provisional ballots containing annotations by County election workers indicating that the individual voting provisionally believed they had registered through DPS online.
5. Attached hereto as Exhibit 4 is a true and correct copy of the Texas Secretary of State's website showing total voter turnout in Harris County for the 2018 General Election. The site, whose url is [https://elections.sos.state.tx.us/elchist331\\_race832.htm](https://elections.sos.state.tx.us/elchist331_race832.htm), was accessed by me on January 26, 2020. It reflects that 1,207,754 individuals in Harris County voted in the race for United States Senator in the 2018 General Election.
6. Attached hereto as Exhibit 5 is a true and correct copy of the Texas Secretary of State's website showing total voter turnout across the state of Texas for the 2018 General Election. The site, whose url is [https://elections.sos.state.tx.us/elchist331\\_state.htm](https://elections.sos.state.tx.us/elchist331_state.htm), was accessed by me on January 26, 2020. It reflects that 8,371,655 individuals statewide voted in the race for United States Senator in the 2018 General Election.
7. Attached hereto as Exhibit 6 is a true and correct copy of a spreadsheet created by me projecting the number of provisional ballots cast statewide as a result of individuals who mistakenly believed they registered to vote or updated their voter registrations

through DPS's online driver's license system. It projects that number at 735. This projection was produced by taking the total number of provisional ballots cast due to DPS-online confusion in Harris County (see ¶ 4 *supra*), dividing that number by the total number of voters in Harris County in the 2018 race for United States Senate, then multiplying the resulting number by the total number of statewide voters in the 2018 for United States Senate.

8. Attached hereto as Exhibit 7 is a true and correct copy of the voter registration status of Plaintiff John Harms as ascertained on the Secretary of State's website on January 25, 2020.
9. Attached hereto as Exhibit 8 is a true and correct copy of the voter registration status of Plaintiff Nayeli Gomez as ascertained on the Secretary of State's website on January 27, 2020.
10. Attached hereto as Exhibit 9 is a true and correct copy of the voter registration status of Plaintiff Jarrod Stringer as ascertained on the Secretary of State's website on January 27, 2020.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on January 27, 2020.



Joaquin Gonzalez







1412 Main St., #608  
Dallas, TX 75202  
972-333-9200  
[texascivilrightsproject.org](http://texascivilrightsproject.org)

December 13, 2018

Stan Stanart  
Elections Administrator  
Harris County  
1001 Preston, 4<sup>th</sup> Flr, Rm. 439  
Houston, TX 77002  
Ph: (713) 755-5792  
[county.clerk@cco.hctx.net](mailto:county.clerk@cco.hctx.net)

*via email:* [county.clerk@cco.hctx.net](mailto:county.clerk@cco.hctx.net)

Re: Public Information Request regarding provisional ballots

To the Officer for Public Information:

Pursuant to Section 552.221 of the Texas Government Code, I respectfully ask for the items below. If these items are available in electronic form, I request to receive responsive documents electronically in order to eliminate paper waste and costs of copying.

1. Any and all documents listing those individuals who cast provisional ballots in the 2018 general election including the name, address, precinct, the reason for the provisional vote, the method of voting, and whether the provisional vote was accepted or rejected.
2. Any and all documents reflecting the total number of provisional ballots issued and counted in the 2018 general election. If you have documents that directly compare the provisional ballots issued for each of the last two and/or three elections, please provide those as well.

If you have information in an Excel spreadsheet or similar format, we would like to receive the information in that form.

The terms "records" and "documents" each includes any item whether printed or recorded or reproduced by any other electronic or mechanical process or written or produced by hand: agreements, communications, reports, charges, complaints, correspondence, telegrams, memoranda, electronic mail, applications, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, schedules, charts, videos, audio or audio recordings, graphs, worksheets, reports, notebooks, note charts, plans, drawings, sketches, maps, summaries or records of meetings or conferences, summaries or reports or records of investigations or negotiations, opinions or reports of consultants, bills, statements, invoices, and all other writings of whatever nature, photographs, motion picture film, brochures, pamphlets, advertisements, circulars, press releases, drafts, letters, tape recordings, disks, data sheets or data processing cards, any marginal comments appearing on any document or thing, or any other written, recorded, transcribed, filed or graphic master, however produced or reproduced, to which the County, its agents, and representatives have in its possession or to which it has access.

The terms "and," "or," "any," and "all" shall be construed conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope.





1412 Main St., #608  
Dallas, TX 75202  
972-333-9200  
texascivilrightsproject.org

I write this request on behalf of the Texas Civil Rights Project. We are a 501(c)(3) nonprofit, and we are requesting this information for the public good. We will use the requested information without charge to anyone. Accordingly, I respectfully ask, pursuant to Section 552.267 of the Texas Government Code, that you waive any fees associated with this records request. If you elect not to waive the fees and the cost of copying exceeds \$25, please advise me of the actual costs before copying the requested records.

Please send all correspondence and/or responsive documents to me by email at [chris@texascivilrightsproject.org](mailto:chris@texascivilrightsproject.org).

Thank you for responding to this request within ten (10) business days.

Sincerely,

A handwritten signature in blue ink that reads "Chris Rainbolt".

Chris Rainbolt











# Office of the Secretary of State

## 2018 General Election

11/6/2018

U. S. Senator -

...	Ted Cruz	Beto O'Rourke	Neal M. Dikeman	...	...	...
...				Total	Total	...
County	REP	DEM	LIB	Votes	Voters	TurnOut
ALL COUNTIES	4,260,553	4,045,632	65,470	8,371,655	15,793,257	53.01%
ANDERSON	11,335	3,307	94	14,736	28,487	51.73%
ANDREWS	3,338	776	17	4,131	9,574	43.15%
ANGELINA	19,166	7,130	153	26,449	51,751	51.11%
ARANSAS	6,677	2,247	56	8,980	17,308	51.88%
ARCHER	3,208	376	18	3,602	6,317	57.02%
ARMSTRONG	819	74	6	899	1,428	62.96%
ATASCOSA	7,753	4,332	119	12,204	27,338	44.64%
AUSTIN	8,722	2,241	84	11,047	19,406	56.93%
BAILEY	1,204	405	7	1,616	3,727	43.36%
BANDERA	7,643	1,865	76	9,584	15,869	60.39%
BASTROP	15,067	12,082	312	27,461	47,438	57.89%
BAYLOR	1,070	156	9	1,235	2,365	52.22%
BEE	4,342	2,811	64	7,217	15,883	45.44%
BELL	47,437	38,417	723	86,577	195,760	44.23%
BEXAR	217,600	326,946	5,024	549,570	1,098,257	50.04%
BLANCO	4,181	1,570	57	5,808	8,504	68.30%
BORDEN	320	22	1	343	488	70.29%
BOSQUE	5,718	1,374	63	7,155	12,209	58.60%
BOWIE	20,157	7,982	182	28,321	59,618	47.50%
BRAZORIA	65,693	45,228	832	111,753	207,446	53.87%
BRAZOS	35,971	27,876	640	64,487	114,377	56.38%
BREWSTER	1,879	2,147	60	4,086	7,292	56.03%
BRISCOE	553	69	2	624	1,084	57.56%
BROOKS	543	1,376	4	1,923	5,843	32.91%
BROWN	10,391	1,670	71	12,132	23,368	51.92%
BURLESON	5,079	1,427	45	6,551	11,782	55.60%
BURNET	13,859	4,444	187	18,490	31,072	59.51%

CALDWELL	6,147	5,227	107	11,481	23,777	48.29%
CALHOUN	4,198	1,874	47	6,119	12,835	47.67%
CALLAHAN	4,373	610	40	5,023	9,337	53.80%
CAMERON	28,574	48,770	568	77,912	206,966	37.64%
CAMP	2,749	1,119	24	3,892	7,648	50.89%
CARSON	2,192	245	22	2,459	4,263	57.68%
CASS	8,148	2,024	45	10,217	20,119	50.78%
CASTRO	1,219	394	10	1,623	3,842	42.24%
CHAMBERS	12,146	2,926	109	15,181	28,063	54.10%
CHEROKEE	11,631	3,207	103	14,941	27,949	53.46%
CHILDRESS	1,526	236	8	1,770	3,559	49.73%
CLAY	3,710	547	31	4,288	7,655	56.02%
COCHRAN	541	140	5	686	1,729	39.68%
COKE	1,150	137	10	1,297	2,285	56.76%
COLEMAN	2,759	351	16	3,126	5,912	52.88%
COLLIN	187,425	165,614	2,927	355,966	579,893	61.38%
COLLINGSWORTH	810	113	5	928	1,906	48.69%
COLORADO	5,779	1,825	33	7,637	13,938	54.79%
COMAL	44,079	16,830	586	61,495	100,867	60.97%
COMANCHE	3,799	781	30	4,610	9,197	50.13%
CONCHO	803	163	14	980	1,677	58.44%
COOKE	11,879	2,550	111	14,540	25,747	56.47%
CORYELL	10,626	5,067	170	15,863	38,635	41.06%
COTTLE	458	97	2	557	1,063	52.40%
CRANE	836	213	6	1,055	2,666	39.57%
CROCKETT	928	340	8	1,276	2,497	51.10%
CROSBY	978	437	7	1,422	3,540	40.17%
CULBERSON	297	521	9	827	1,722	48.03%
DALLAM	970	139	6	1,115	3,039	36.69%
DALLAS	241,126	481,395	5,368	727,889	1,335,313	54.51%
DAWSON	2,192	811	12	3,015	7,202	41.86%
DEAF SMITH	2,680	1,067	28	3,775	8,855	42.63%
DELTA	1,562	354	16	1,932	3,896	49.59%
DENTON	158,744	134,649	2,409	295,802	497,490	59.46%
DEWITT	4,974	1,128	29	6,131	11,744	52.21%
DICKENS	635	113	6	754	1,288	58.54%
DIMMIT	840	2,042	12	2,894	7,378	39.22%
DONLEY	1,110	161	8	1,279	2,237	57.17%
DUVAL	1,330	2,765	18	4,113	8,377	49.10%
EASTLAND	5,377	800	28	6,205	11,775	52.70%
ECTOR	20,996	9,230	248	30,474	76,536	39.82%



EDWARDS	604	145	8	757	1,449	52.24%
ELLIS	41,022	19,106	461	60,589	108,349	55.92%
EL PASO	50,943	151,482	1,189	203,614	455,992	44.65%
ERATH	10,055	2,486	84	12,625	22,492	56.13%
FALLS	3,215	1,445	20	4,680	10,399	45.00%
FANNIN	8,569	2,107	74	10,750	20,756	51.79%
FAYETTE	8,228	2,198	53	10,479	16,626	63.03%
FISHER	1,139	340	15	1,494	2,682	55.70%
FLOYD	1,394	476	9	1,879	3,965	47.39%
FOARD	321	113	1	435	913	47.65%
FORT BEND	111,423	142,399	1,616	255,438	431,832	59.15%
FRANKLIN	3,300	639	35	3,974	6,807	58.38%
FREESTONE	5,243	1,279	40	6,562	11,978	54.78%
FRIO	1,636	2,016	28	3,680	8,606	42.76%
GAINES	3,317	513	19	3,849	8,921	43.15%
GALVESTON	67,641	45,065	916	113,622	212,630	53.44%
GARZA	1,068	203	16	1,287	2,712	47.46%
GILLESPIE	9,890	2,572	81	12,543	19,294	65.01%
GLASSCOCK	513	37	4	554	782	70.84%
GOLIAD	2,326	717	29	3,072	5,597	54.89%
GONZALES	4,173	1,421	31	5,625	12,210	46.07%
GRAY	5,246	615	40	5,901	12,493	47.23%
GRAYSON	31,655	11,157	332	43,144	80,863	53.35%
GREGG	24,569	11,133	234	35,936	69,893	51.42%
GRIMES	6,499	2,037	71	8,607	16,176	53.21%
GUADALUPE	33,938	20,079	554	54,571	100,552	54.27%
HALE	5,360	1,970	62	7,392	19,170	38.56%
HALL	807	161	3	971	1,987	48.87%
HAMILTON	2,795	507	28	3,330	5,611	59.35%
HANSFORD	1,552	138	20	1,710	3,034	56.36%
HARDEMAN	973	185	4	1,162	2,459	47.25%
HARDIN	17,391	2,636	71	20,098	38,259	52.53%
HARRIS	498,902	700,200	8,652	1,207,754	2,338,460	51.65%
HARRISON	16,226	6,245	122	22,593	44,462	50.81%
HARTLEY	1,467	153	4	1,624	2,875	56.49%
HASKELL	1,362	302	10	1,674	3,331	50.26%
HAYS	33,308	45,584	854	79,746	134,403	59.33%
HEMPHILL	1,209	157	9	1,375	2,289	60.07%
HENDERSON	20,891	5,415	205	26,511	51,770	51.21%
HIDALGO	46,505	104,416	834	151,755	361,562	41.97%

HILL	8,927	2,443	63	11,433	22,743	50.27%
HOCKLEY	4,844	1,211	39	6,094	13,582	44.87%
HOOD	20,090	4,720	195	25,005	40,835	61.23%
HOPKINS	9,306	2,545	69	11,920	22,706	52.50%
HOUSTON	5,552	1,772	36	7,360	13,090	56.23%
HOWARD	5,651	1,693	60	7,404	16,968	43.64%
HUDSPETH	509	407	17	933	1,922	48.54%
HUNT	21,115	7,151	222	28,488	55,193	51.62%
HUTCHINSON	5,854	753	35	6,642	13,547	49.03%
IRION	636	96	6	738	1,314	56.16%
JACK	2,498	296	19	2,813	5,082	55.35%
JACKSON	3,991	832	17	4,840	9,195	52.64%
JASPER	9,504	2,282	47	11,833	22,848	51.79%
JEFF DAVIS	683	466	28	1,177	1,719	68.47%
JEFFERSON	36,731	37,128	380	74,239	148,344	50.05%
JIM HOGG	410	1,060	8	1,478	3,833	38.56%
JIM WELLS	4,520	5,331	49	9,900	26,438	37.45%
JOHNSON	39,571	12,411	454	52,436	97,157	53.97%
JONES	4,115	832	37	4,984	10,024	49.72%
KARNES	2,900	1,203	33	4,136	8,071	51.25%
KAUFMAN	26,118	12,002	252	38,372	72,579	52.87%
KENDALL	15,292	4,340	164	19,796	30,774	64.33%
KENEDY	100	77	3	180	309	58.25%
KENT	288	44	5	337	588	57.31%
KERR	16,822	5,198	185	22,205	35,854	61.93%
KIMBLE	1,495	195	14	1,704	2,908	58.60%
KING	124	6	1	131	184	71.20%
KINNEY	827	358	14	1,199	2,255	53.17%
KLEBERG	4,081	4,456	59	8,596	18,186	47.27%
KNOX	855	229	9	1,093	2,434	44.91%
LAMAR	12,711	3,731	126	16,568	31,591	52.45%
LAMB	2,741	699	17	3,457	8,096	42.70%
LAMPASAS	5,836	1,569	65	7,470	14,099	52.98%
LASALLE	673	813	3	1,489	4,300	34.63%
LAVACA	6,688	1,019	30	7,737	13,234	58.46%
LEE	4,487	1,322	38	5,847	10,453	55.94%
LEON	5,711	855	23	6,589	11,163	59.03%
LIBERTY	16,041	4,421	114	20,576	43,981	46.78%
LIMESTONE	5,211	1,672	33	6,916	13,621	50.77%
LIPSCOMB	942	116	9	1,067	1,988	53.67%
LIVE OAK	3,029	601	21	3,651	7,240	50.43%

LLANO	7,954	2,124	76	10,154	15,758	64.44%
LOVING	47	6	1	54	121	44.63%
LUBBOCK	58,780	32,068	731	91,579	175,881	52.07%
LYNN	1,369	323	5	1,697	3,945	43.02%
MADISON	3,033	780	18	3,831	7,428	51.58%
MARION	2,448	1,018	31	3,497	7,368	47.46%
MARTIN	1,297	243	14	1,554	3,252	47.79%
MASON	1,560	402	5	1,967	2,956	66.54%
MATAGORDA	7,330	3,049	78	10,457	21,654	48.29%
MAVERICK	2,951	7,727	98	10,776	31,453	34.26%
MCCULLOCH	2,245	400	26	2,671	5,243	50.94%
MCLENNAN	45,855	28,452	568	74,875	139,699	53.60%
MCMULLEN	387	41	2	430	704	61.08%
MEDINA	11,444	4,621	114	16,179	31,354	51.60%
MENARD	632	145	6	783	1,443	54.26%
MIDLAND	32,867	9,723	365	42,955	84,393	50.90%
MILAM	5,922	1,997	68	7,987	15,038	53.11%
MILLS	1,764	229	11	2,004	3,426	58.49%
MITCHELL	1,585	323	5	1,913	4,562	41.93%
MONTAGUE	6,424	941	56	7,421	13,588	54.61%
MONTGOMERY	137,395	51,268	1,433	190,096	333,488	57.00%
MOORE	3,248	787	25	4,060	9,764	41.58%
MORRIS	2,953	1,260	21	4,234	8,302	51.00%
MOTLEY	483	40	4	527	847	62.22%
NACOGDOCHES	13,775	7,732	126	21,633	36,993	58.48%
NAVARRO	10,391	3,918	107	14,416	28,641	50.33%
NEWTON	3,660	993	23	4,676	9,293	50.32%
NOLAN	3,120	928	26	4,074	8,778	46.41%
NUECES	45,956	47,392	719	94,067	205,176	45.85%
OCHILTREE	2,160	230	25	2,415	5,216	46.30%
OLDHAM	732	82	2	816	1,417	57.59%
ORANGE	21,164	5,050	118	26,332	53,392	49.32%
PALO PINTO	7,547	1,837	46	9,430	17,984	52.44%
PANOLA	7,120	1,598	31	8,749	16,392	53.37%
PARKER	44,071	9,956	468	54,495	91,858	59.33%
PARMER	1,675	372	10	2,057	4,428	46.45%
PECOS	2,161	1,339	20	3,520	8,223	42.81%
POLK	12,794	3,850	106	16,750	38,018	44.06%
POTTER	16,689	7,521	214	24,424	55,580	43.94%
PRESIDIO	436	1,221	10	1,667	4,884	34.13%

RAINS	3,702	681	23	4,406	7,668	57.46%
RANDALL	38,479	9,613	363	48,455	87,827	55.17%
REAGAN	692	136	6	834	1,845	45.20%
REAL	1,311	245	8	1,564	2,590	60.39%
RED RIVER	3,427	973	18	4,418	8,268	53.43%
REEVES	1,128	1,255	15	2,398	7,089	33.83%
REFUGIO	1,636	847	9	2,492	4,949	50.35%
ROBERTS	441	19	0	460	707	65.06%
ROBERTSON	4,295	1,942	31	6,268	11,654	53.78%
ROCKWALL	26,615	11,754	330	38,699	62,933	61.49%
RUNNELS	2,842	385	7	3,234	6,692	48.33%
RUSK	12,597	3,609	76	16,282	31,242	52.12%
SABINE	3,456	496	15	3,967	7,802	50.85%
SAN AUGUSTINE	2,266	734	16	3,016	5,989	50.36%
SAN JACINTO	7,499	1,785	55	9,339	17,976	51.95%
SAN PATRICIO	11,335	6,777	107	18,219	41,762	43.63%
SAN SABA	1,811	247	11	2,069	3,737	55.37%
SCHLEICHER	735	209	8	952	1,789	53.21%
SCURRY	3,705	642	16	4,363	9,393	46.45%
SHACKELFORD	1,174	103	4	1,281	2,320	55.22%
SHELBY	6,008	1,521	32	7,561	15,294	49.44%
SHERMAN	692	87	43	822	1,535	53.55%
SMITH	53,760	23,182	458	77,400	134,712	57.46%
SOMERVELL	3,033	633	25	3,691	6,287	58.71%
STARR	2,443	8,273	68	10,784	33,110	32.57%
STEPHENS	2,631	324	13	2,968	5,573	53.26%
STERLING	442	44	0	486	880	55.23%
STONEWALL	497	112	5	614	957	64.16%
SUTTON	934	265	7	1,206	2,478	48.67%
SWISHER	1,461	420	14	1,895	3,968	47.76%
TARRANT	309,189	313,497	5,208	627,894	1,122,597	55.93%
TAYLOR	29,811	10,489	357	40,657	80,168	50.71%
TERRELL	323	139	5	467	694	67.29%
TERRY	2,169	629	15	2,813	6,633	42.41%
THROCKMORTON	617	77	9	703	1,219	57.67%
TITUS	5,685	2,265	55	8,005	17,020	47.03%
TOM GREEN	24,648	9,690	292	34,630	66,826	51.82%
TRAVIS	119,278	359,772	5,154	484,204	775,950	62.40%
TRINITY	4,146	998	31	5,175	11,455	45.18%
TYLER	5,919	1,185	35	7,139	13,725	52.01%
UPSHUR	11,529	2,364	91	13,984	27,708	50.47%

UPTON	854	169	8	1,031	2,116	48.72%
UVALDE	4,348	3,528	59	7,935	17,118	46.35%
VAL VERDE	5,345	5,955	105	11,405	27,972	40.77%
VAN ZANDT	15,182	2,634	116	17,932	36,982	48.49%
VICTORIA	19,005	8,046	157	27,208	55,473	49.05%
WALKER	11,535	6,186	132	17,853	33,422	53.42%
WALLER	10,167	6,335	101	16,603	32,584	50.95%
WARD	2,096	800	24	2,920	6,522	44.77%
WASHINGTON	10,134	3,263	95	13,492	23,253	58.02%
WEBB	13,814	35,159	408	49,381	130,784	37.76%
WHARTON	9,094	3,793	55	12,942	25,132	51.50%
WHEELER	1,679	125	6	1,810	3,415	53.00%
WICHITA	23,648	9,971	299	33,918	81,419	41.66%
WILBARGER	2,639	776	24	3,439	8,134	42.28%
WILLACY	1,527	2,773	25	4,325	12,405	34.86%
WILLIAMSON	99,857	105,850	2,514	208,221	331,985	62.72%
WILSON	13,025	4,567	127	17,719	32,537	54.46%
WINKLER	1,123	321	11	1,455	3,870	37.60%
WISE	19,023	3,915	179	23,117	41,749	55.37%
WOOD	13,987	2,635	118	16,740	30,065	55.68%
YOAKUM	1,558	335	10	1,903	4,264	44.63%
YOUNG	5,543	821	41	6,405	11,854	54.03%
ZAPATA	821	1,392	10	2,223	7,587	29.30%
ZAVALA	589	2,313	15	2,917	8,157	35.76%

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For comments or suggestions, please e-mail [webmaster@sos.state.tx.us](mailto:webmaster@sos.state.tx.us)



# Office of the Secretary of State

## Race Summary Report

### 2018 General Election

#### 11/6/2018

RACE NAME	PARTY	CANVASS VOTES	PERCENT
U. S. Senator -			
Ted Cruz(I)	REP	4,260,553	50.89%
Beto O'Rourke	DEM	4,045,632	48.33%
Neal M. Dikeman	LIB	65,470	0.78%
		-----	
	Race Total	8,371,655	
-----			
U. S. Representative District 1 -			
Louie Gohmert(I)	REP	168,165	72.26%
Shirley J. McKellar	DEM	61,263	26.32%
Jeff Callaway	LIB	3,292	1.41%
		-----	
	Race Total	232,720	
-----			
U. S. Representative District 2 -			
Dan Crenshaw	REP	139,188	52.84%
Todd Litton	DEM	119,992	45.56%
Patrick Gunnels	LIB	2,373	0.90%
Scott Cubbler	IND	1,839	0.70%
		-----	
	Race Total	263,392	
-----			
U. S. Representative District 3 -			
Van Taylor	REP	169,520	54.24%
Lorie Burch	DEM	138,234	44.23%
Christopher J. Claytor	LIB	4,604	1.47%
Jeff Simmons	W-I	153	0.05%
		-----	
	Race Total	312,511	
-----			
U. S. Representative District 4 -			





Harris Provisional Ballots	Total Harris Votes -- 2018 US Senate	Total Statewide Votes -- 2018 US Senate
106	1,207,754	8,371,655
Ratio of Harris DPS-online Provisional Ballots to Total Harris Votes -- 2018 US Senate		
0.0000877662		
Projected Total DPS-online Provisional Ballots Statewide		
734.7484918		



TEXAS SECRETARY OF STATE

AM I REGISTERED?  
TEXAS ELECTIONET ADMINISTRATION SYSTEM

## Voter Information

Name: JARROD JEOFRY STRINGER  
Address: 623 DONALDSON AVENUE 8  
SAN ANTONIO TX 78201  
Gender: MALE  
Valid From: 01/01/2020  
Effective Date of Registration: 05/23/2015  
Voter Status: SUSPENSE  
County: BEXAR  
Precinct: 2083  
VUID: 1070187813

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## Upcoming Elections (Select Election for available polling information)

[11/03/2020--2020 NOVEMBER 3RD GENERAL ELECTION](#)[03/03/2020--2020 MARCH 3RD DEMOCRATIC PRIMARY](#)[03/03/2020--2020 MARCH 3RD REPUBLICAN PRIMARY](#)

A Voter Status of "Suspense" means that the registrar is not certain of your residential address. A request to confirm or update your information was mailed to you. A voter whose status is on suspense is eligible to vote in an election provided that the voter completes a Statement of Residence either when voting by mail or at the polls prior to voting (within the same county as the voter's current registration) or (if the voter has moved to a new county) completes a Limited Ballot application during Early Voting at the main early voting polling place.

\*\*\*Eligibility is determined by Effective Date of Registration (Must be on or before Election Day)

**Please Note:** Polling places are subject to change. Always check your designated polling place location via this website or by contacting your county prior to going to vote.

## ADDITIONAL QUESTIONS and FAQ

**Note:** Any questions now that you see your voter registration status? On Suspense? Don't live at that address anymore? Not sure what to do next? Check out our FAQ.

[Back](#)



TEXAS SECRETARY OF STATE

AM I REGISTERED?  
TEXAS ELECTIONET ADMINISTRATION SYSTEM

## Voter Information

Name: NAYELI MARICELA GOMEZ  
Address: 6423 PELICAN CORAL  
SAN ANTONIO TX 78244  
Gender: FEMALE  
Valid From: 01/01/2020  
Effective Date of Registration: 07/10/2011  
Voter Status: ACTIVE  
County: BEXAR  
Precinct: 4161  
VUID: 1178241589

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## Upcoming Elections (Select Election for available polling information)

[11/03/2020--2020 NOVEMBER 3RD GENERAL ELECTION](#)[03/03/2020--2020 MARCH 3RD DEMOCRATIC PRIMARY](#)[03/03/2020--2020 MARCH 3RD REPUBLICAN PRIMARY](#)

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[Back](#)



TEXAS SECRETARY OF STATE

AM I REGISTERED?  
TEXAS ELECTIONET ADMINISTRATION SYSTEM

## Voter Information

Name: JOHN THOMAS HARMS  
Address: 507 ASH STREET  
SMITHVILLE TX 78957  
Gender: MALE  
Valid From: 01/01/2020  
Effective Date of Registration: 11/08/2016  
Voter Status: SUSPENSE  
County: BASTROP  
Precinct: 2008  
VUID: 1139231143

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## Upcoming Elections (Select Election for available polling information)

[11/03/2020--2020 NOVEMBER 3RD GENERAL ELECTION](#)  
[03/03/2020--2020 MARCH 3RD DEMOCRATIC PRIMARY](#)  
[03/03/2020--2020 MARCH 3RD REPUBLICAN PRIMARY](#)

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[Back](#)